# 1NC---Round 2

### Cap K---Long---1NC

#### Anti-trust’s promise of reformed capitalist competition is a ruse to solidify American domination. Western academics erase imperialism from consideration, ensuring anti-trust cases will always hinge on American interests and never consider global impact.

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Limitations of liberal and progressive ‘techlash’ reforms

In response to the rise of Big Tech, the intellectual classes in the Global North, led by American scholars, researchers and journalists, have formulated a liberal/progressive critique of Big Tech and a corresponding set of capitalist reforms they call the ‘techlash’. Their framework, informed by progressive-era figures like Louis Brandeis and Franklin D. Roosevelt (FDR), aims to restore the Golden Age of Capitalism through enlightened state regulation. This circuit of intellectuals are drawn primarily from elite universities (Ivy League, MIT, Stanford, Oxford, etc.) and the corporate media. Money for their research is sourced from elite academia and media outlets, wealthy foundations, philanthropists and Big Tech itself. The techlash critics ignore or downplay the analytical and moral centrality of digital capitalism and colonialism, ecological context and the need for a socialist transformation. A de facto vanguard within the intellectual community tuned into tech, together with Big Tech itself, these elite intellectuals set the bounds of leftist discourse and exercise ‘tech hegemony’ over the broader narrative.37

There are two branches of critique put forth by the American techlashers: a legal branch which focuses on anti-trust as its centrepiece to reform digital capitalism and a human rights branch which focuses on discrimination, privacy, content moderation and workers’ welfare. These intellectuals are typically in agreement with each other and often weave their critiques and solutions together. Let us consider each in turn.

Legal reformers

Within the legal domain, a new wave of anti-trust scholars have occupied centre-stage to address the digital economy.38 At the leftmost end of the spectrum in the United States, ‘neo-Brandeisian’ anti-trust scholars draw inspiration from Louis Brandeis, who viewed a fair and just democracy as one without extreme concentrations of wealth and power into the hands of corporations. Neo-Brandeisians share with socialists the idea that socioeconomic inequality in part springs from the monopoly power of big corporations. However, anti-trust reformers depart from socialists in irreconcilable ways.

For one, they envision a ‘small business capitalism’ of private property owners kept intact by enlightened state regulators. Socialists, by contrast, argue that the capitalist system naturally concentrates wealth and objects to class inequalities and private ownership of the means of production. For another, neo-Brandeisians fetishise competition as a force for social good, rather than a force which pits owners and workers against each other in the battle for revenue, profits and market share.

Critically, the limits of economic growth are not acknowledged anywhere in the literature, nor are digital colonialism and American empire. This is an analytical failure because the fact that Big Tech corporations exercise global dominance should be evaluated in light of their international and environmental impact. It’s as if central features of the global tech economy – American empire and ecological crisis – don’t even exist. It is a moral failure because all parties affected should be involved in formulating and implementing remedies, but, instead, the United States’ scholars, lawmakers, courts and regulators are the ones making critical decisions about reforming American firms with global reach.

European counterparts share in the US anti-trust reformist agenda, with an added caveat: the Europeans are explicitly trying to cut down the American super-giants in order to build their own tech giants and colonise global markets.

In Europe, there are already tens of unicorns (privately held start-ups valued over $1 billion). Rich European countries dominate this race. The UK leads the pack and aims to produce its own trillion-dollar behemoth. President Emanuel Macron will be pumping €5 billion to tech start-ups in hopes that France will have at least twenty-five unicorns by 2025. Germany is attracting billions for its start-ups and spending €3 billion to become a global AI powerhouse and a world leader (i.e., market coloniser) in digital industrialisation. For its part, the Netherlands aims to become a ‘unicorn nation’. In 2021, the European Union’s competition commissioner, Margarethe Vestager, told the press in no uncertain terms that Europe needs to ‘build its own European tech giants’.39

Thus, the notion that European leaders are against Big Tech is demonstrably false. They are trying to shrink the American super-giants (GAFAM) so they can carve out market share for burgeoning European tech giants. It’s pure power politics – an inconvenient truth for America’s neo-Brandeisians, who laud and borrow ideas from their European counterparts.

The new anti-trust scholars erase these realities from within their own self-referential echo chambers, and instead act as if anti-trust is a matter of remedying harms to their own citizens. This is not a small point. Even if anti-trust reforms go through, the space created for new market entrants will almost certainly be dominated by the rich countries, who still have the most advanced engineers and resources to pay them high salaries and poach foreign talent.

#### Anti-trust is the legal force behind economic imperialism. Competition law is a product of economic nationalism designed to fuel American capitalist expansion at the expense of the periphery.

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Abstract

Since 1945, US judges have extended numerous “domestic” US laws (including securities and antitrust laws) to govern economic transactions taking place “abroad”. However, they have generally failed to extend US labor and employment laws to govern employer– employee relationships outside “US territory”. Through a close reading of federal court decisions and drawing on recent work in the field of critical legal studies, this article makes an argument for centering the study of jurisdiction in International Relations scholarship and for approaching states as instantiated in their jurisdictional assertions. I suggest that such an approach enables us to capture the geographies—including the imperial geographies—of US law in the “normal,” everyday course of affairs. In particular, such an approach allows us to see that, since the mid-20th century, the legal authority and legal relations of the US government have come to be organized around the notion of the national economy (rather than simply around, for example, notions of territory or citizenship). What this means is that it is increasingly a posited relationship to this national economy that determines whether people and corporations, wherever in the world they are located, are subjected to or protected by US law.

Since 1945, US courts have frequently used US laws to adjudicate certain kinds of civil disputes arising anywhere in the world. They have also allowed the Department of Justice to use these laws to criminally prosecute individuals and corporations (including “nonUS” citizens and corporations) for certain kinds of conduct carried out “abroad”.1 US courts have justified these extensions of US laws (which are referred to as instances of “extraterritorial jurisdiction”) in a variety of ways, pointing, for instance, to a need to protect US citizens located abroad from acts of “terrorism” or to otherwise safeguard the vital “national interests” of the United States.

International Relations (IR) scholars have been increasingly attentive to these practices. However, reflecting the traditional realist and liberal, and more-recent constructivist, foci of the discipline, they have generally focused on how these practices have unfolded in two contexts—security and human rights (Liste, 2014, 2016; Lohmann, 2016; Shambaugh, 1999). With some important exceptions (Putnam, 2009, 2016; Slaughter, 1995; Slaughter and Zaring, 1997), IR scholars have been less attentive to extensions of US “economic” laws, such as antitrust and securities laws, to govern conduct taking place abroad. An important aspect of these extensions is their routineness. Unlike extensions of, for example, US “terrorist financing” laws, which are often represented as necessitated by “exceptional” circumstances, extensions of US economic laws are significant precisely because of such laws’ applicability to, and impact on, routine commercial activities. As such, studying such extensions allows us to capture an important modality through which the US government structures and regulates global economic activity. It further enables us to capture the geographies—including the imperial geographies—of US law in the “normal,” everyday course of affairs. Since World War Two, the extraterritorial extension of US economic laws has often taken place pursuant to the “effects doctrine.” As described by US courts, the effects doctrine states that governments may apply their own laws to conduct that takes place outside their territorial boundaries, but that has effects (of a particular magnitude) within such boundaries. Before 1945, courts, including the Permanent Court of International Justice (PCIJ), had used the doctrine to uphold jurisdictional assertions by governments over conduct taking place abroad but having physical effects within their territories (S. S. Lotus [France v. Turkey], PCIJ, 1927). The frequently-cited example was a bullet fired across an international border giving rise to jurisdiction where the bullet landed. However, in 1945, a US federal appellate court held for the first time that economic effects, within the United States, of extraterritorial conduct would be sufficient to trigger the application of US law. Specifically, in United States v. Aluminum Company of America (“Alcoa”), the Second Circuit Court of Appeals (1945) applied the Sherman Antitrust Act of 1890 to the allegedly-anticompetitive activities of a Canadian company, taking place in Switzerland. The court justified its decision by pointing to the effects of these activities on quantities of aluminum imported into, and on prices of aluminum within, the US In subsequent decades, US courts invoked this “economic” version of the effects doctrine in a variety of contexts, using it, for instance, to apply US securities and trademark laws to conduct taking place abroad (Schoenbaum v. Firstbrook, Second Circuit, 1968; Steele v. Bulova Watch Co., US Supreme Court, 1952). However, they failed or refused to apply the doctrine in other contexts, and in particular, refused to apply US employment and labor laws to govern conduct taking place abroad (Foley Bros. v. Filardo, US Supreme Court, 1949 (“Foley”); Equal Employment Opportunity Commission v. Arabian American Oil Co., US Supreme Court, 1991 (“Aramco”)). In this article, through an examination of US courts’ effects-based extraterritoriality since 1945, I do two things. First, I provide a descriptive account of the geographies of the jurisdictional boundaries of the United States, understanding “jurisdictional boundaries” as the shifting lines between spaces in which, and subject areas and people to which, US law does and does not apply. There has long been a disjuncture between these jurisdictional boundaries and the territorial boundaries that the US government claims as its own. This article moves beyond a simple demonstration of such a disjuncture, to trace its precise (though ever-changing) shapes. Through a close reading of US court decisions in the antitrust and employment/labor contexts, I show that, in the post-World War Two (“postwar”) period, in addition to the notion of territory, the jurisdictional boundaries of the United States have come to be organized around a (partly-legal) construct called the “national economy.” What this means is that it is increasingly a posited relationship to this national economy that determines whether US law applies in a particular case, and so also determines where US law applies. Through my descriptive account, I also make a broader argument for foregrounding jurisdictional assertions in IR scholarship, and for approaching states as both instantiated in and constituted by these jurisdictional assertions. In particular, I show the potential of such an approach in helping us think about the state “around” (Reid-Henry, 2010: 752) or “beyond” (Glassman, 1999: 669) the territorial trap.2 I show that, by foregrounding and tracing jurisdictional assertions, we are better able to empirically capture the shifting geographical coordinates of states’ legal boundaries. Furthermore, I show that, by foregrounding and tracing jurisdictional assertions, we are able to reconceptualize such legal boundaries, to see them as not static and singular, but shifting and multiple. Some such borders are “clearly visible in the landscape,” others are “hidden from immediate view” (Cowen, 2009: 70)—though no less consequential, and—crucially— no less “formal” or “legal” for that. In one sense, then, my argument is a very specific, empirical one about US extraterritoriality. I am not suggesting a similar rise in extraterritoriality elsewhere in the postWorld War Two period: rather, as I explain in the next section, I view postwar “economic” extraterritoriality as, until recently, a largely US practice, enabled primarily by and enabling of US economic preeminence. Yet my argument is also a broader one in its proposal of a particular approach to states’ boundaries, an approach which finds these shifting boundaries in the routine, seemingly-mundane jurisdictional assertions of states. I show that, by tracing these jurisdictional assertions, we can better capture the multiple ways in which legal authority is organized and authorized in the contemporary world— sometimes around and by the notion of territory, sometimes around and by the notion of the national economy, sometimes in still other ways. In highlighting the multiple ways in which legal authority is organized in the contemporary world, this article does not suggest that the notion of territory is no longer important—quite the contrary. My concern is rather with the political productiveness of the very assumption of the territorial organization of jurisdiction, of the assumption that legal authority is both supreme and even within, and limited by, territorial boundaries. For example, in settler-colonial states, the assumption of supremacy and evenness of the settler government’s jurisdiction within its claimed territory works to obscure rival indigenous forms of authority and law (Pasternak, 2017). So too, this assumption serves to obscure, and so enable, ongoing violent processes through which such jurisdiction needs to continually be imposed on, and is continually resisted by, indigenous peoples (Pasternak, 2017). At the same time, and as this article shows, the assumption of the territorial limitedness of the US government’s jurisdiction works to obscure, and so to enable, the routine reach of US law “abroad.” At its core, then, this article aims to counter these assumptions of the territorial exclusiveness and limitedness of jurisdiction, and so to make possible the consideration and tracing of other contemporary geographies of law, and specifically, of the imperial geographies of law. In the section “Centering jurisdiction”, drawing on work on jurisdiction and territory in IR and law (Dorsett, 2002; Dorsett and McVeigh, 2012; Elden, 2013; Kaushal, 2015; McVeigh, 2007; Pahuja, 2013; Ryngaert, 2016; Valverde, 2009), I detail my approach to jurisdiction, and describe how it diverges from conventional approaches to the same. In the sections “The emergence of effects-based extraterritoriality” and “Delineating the US economy”, I show that, since 1945, the jurisdictional boundaries of the United States have come to be organized around a construct called “national economy.” I do this in two steps. In the section “The emergence of effects-based extraterritoriality”, contrasting two cases decided 36 years apart, I demonstrate the importance of this construct, which was only at play in the latter case, in enabling the extraterritorial extension of US law. In the section “Delineating the US economy”, I detail the ways in which US judges continually construct the national economy through their decisions, by articulating some people and conduct to, and disarticulating other people and conduct from, that national economy. I suggest that, in doing so, these judges draw US jurisdictional boundaries in ways that include US corporations but exclude US workers employed abroad. The final section concludes. Centering jurisdiction IR scholars and international lawyers tend to think and talk about jurisdiction—the authority to speak or enunciate the law—primarily in terms of territorial sovereignty. Territorial sovereignty is generally seen as coming before jurisdiction, in two ways. First, territorial sovereignty is seen as giving rise to jurisdiction, as providing grounds for the authority to speak the law. Second, territory—already-formed territory—is seen as setting the spatial extent of jurisdiction: a state’s jurisdictional boundaries are seen as normally limited by its existing territorial bounds. Such an approach has crucial implications for the study of jurisdiction: as Sundhya Pahuja (2013: 70) writes, it casts jurisdiction as “a technical question concerned with whether a particular sovereign state, or any judicial or quasi-judicial body constituted according to [. . .] law, can exercise legal authority over a territory, dispute, person or issue.” Recent writings on jurisdiction by critical legal scholars (Dorsett and McVeigh, 2012; Kaushal, 2015; Pahuja, 2013) have called into question this view of territorial sovereignty as anterior to jurisdiction. These writings have instead stressed the “inaugural” quality of jurisdiction, the ways in which jurisdictional practices, rather than being carried out by already-constituted political communities, serve as important sites for the constitution and reconstitution of such community (with all the violent Irani 5 inclusions, displacements, and expulsions that such processes often involve) (Kaushal, 2015: 781–782).3 In this article, I draw on this flipped characterization of legal authority, but I add an emphasis on practice. In my account, legal assertions not only form, border, and construct “the state”: they are the state. The state is instantiated in its jurisdictional assertions: it is “the ever-changing snapshot emerging from [multiple] jurisdictional assertions, the very pattern of assertions of jurisdiction, not an entity that ponders whether to assert jurisdiction or not” (Malley et al., 1990: 1296). Changing jurisdictional assertions do not simply change what “the state” does: they further change what the state is, who and what it includes and excludes, and crucially, where it is located. Approaching the state as both constituted by and instantiated in its jurisdictional assertions effects a transformation in our understandings of the geographies of states and their borders. In particular, it enables us to better capture the imperial geographies of some states and their borders. Rather than entities that exert legal authority uniformly within, and only within, fixed lines-on-maps, states come to have multiple boundaries, formed in particular moments, through particular assertions. Territorial borders become only one among many legalized boundaries of state authority; territory becomes only one way of organizing and limiting state law. This opens up space to think about other (nonor less-territorial) legalized boundaries of state authority, other (non- or less-territorial) ways of organizing and limiting state law, ways that—far from being superseded at Westphalia or overcome with decolonization and the supposed universalization of the state form—actually exist in the contemporary world. In IR scholarship, the primary place these other ways of organizing and limiting jurisdiction make an appearance is in the historical scholarship on territory (Elden, 2013; Ruggie, 1993). Such scholarship generally describes a shift in the organization of legal authority, variously identified as taking place sometime between the 14th century and the Peace of Westphalia: while prior to this period, multiple legal authorities had coexisted in given spaces, during this time period, governments for the first time began to claim exclusive authority over bordered spaces and the people they “contained.” I draw from this work a recognition of the historical situatedness and specificity of the territorial organization of jurisdiction, a recognition which opens up space to both consider multiple ways of organizing jurisdiction and investigate their techniques and micro-politics— as I do below. But I diverge from this work in emphasizing that such multiple ways of organizing jurisdiction are contemporaneous and contemporary, rather than successive or primarily of historical interest.4 To capture the existence of multiple contemporaneous and contemporary ways of organizing jurisdiction, I employ the concept of jurisdictional rationalities, or modes of jurisdictional thought and action (Dorsett and McVeigh, 2012: 32). Much like political rationalities, different jurisdictional rationalities can be understood as different “conceptions of the proper ends and means of government” and law (Miller and Rose, 1990: 5). These rationalities can be distinguished by the particular “concept or category” around which jurisdiction is “centered” (for example, “territory” or the “national economy”) (Dorsett and McVeigh, 2012: 48). Different jurisdictional rationalities “engage” law differently: they are associated with different kinds of legal subjects, spaces, and institutions (Dorsett and McVeigh, 2012: 42, 48). For example, while “territory” (as a mode of jurisdictional thought and action) is associated with “sovereign-subject (or citizen) 6 European Journal of International Relations 00(0) relations distributed in territorial terms” (Dorsett and McVeigh, 2012: 41), the “national economy” is associated with—and brings into being—other kinds of subjects and relations (for example, relations between the “United States” and corporations located abroad whose actions are understood as affecting prices within the United States). Conversely, as I show below, thinking about legal authority in terms of a national economy can erase sovereign-citizen relations, when such relations are understood as unimportant to the economy of the United States. In subsequent sections, I examine the jurisdictional rationalities, the modes of jurisdictional thought, underlying US judges’ decisions about whether or not to extend US antitrust and labor laws to govern conduct “abroad.” I show that, while territory remains important as an organizing principle for legal authority, there emerged, in the postwar period, a new mode of thinking and talking about legal authority, which centered on the national economy. I show that, in decisions in this period in which judges considered whether or not to extend US laws abroad, they increasingly represented people, corporations, and activities in terms of their relationships to “US commerce” or “the US economy,” rather than solely in terms of where they were located, incorporated, or born. It is these relationships that served—and continue to serve—to make possible, or to preclude, the extension of US law. These relationships—between various people, corporations, and activities and the “US economy”—are not ones that pre-exist the decisions in which they are invoked, although they are portrayed by judges as such. Such relationships are not found or noticed by judges: judges create them. For instance, as I will show below, judges draw on general economic “laws” to make connections between extraterritorial agreements to restrain production of a particular commodity and prices of that commodity within the United States. In so doing, they characterize the parties to such agreements as affecting the US economy, and so as subject to the legal authority of the US government. Of course, in defining particular people and activities as “part of” or as “affecting” the US economy, judges delineate the US economy itself. It is, in part, in and through particular legal decisions that the national economy is given form and limits, and is modified, over and over again. What this means is that the national economy is constructed in and through the decisions for which it serves as jurisdictional grounds.5 I discuss this process of construction in subsequent sections. In doing so, I focus on judges’ reasoning, on the texts of their decisions. However, it bears mentioning that these decisions have material effects, in part because they are enforced. Enforcement is a complicated legal question in an international context: legal scholars generally agree that, while states may sometimes declare their laws applicable to particular kinds of conduct taking place anywhere in the world (a form of jurisdiction known as “prescriptive jurisdiction”), they may rarely legally “enforce” these laws or judgments in another state’s territory without permission (a form of jurisdiction known as “enforcement jurisdiction”) (Lowe, 2003: 338). Nonetheless, this general rule obscures the US government’s frequent use of “indirect territorial means” of enforcement (for example, the seizure of assets located within the United States, a ban on travel to the United States) to enforce the judgments of US courts (Ryngaert, 2008: 24–25). Crucially, “indirect territorial means” for enforcement are differently available to different states. Enforcement, in particular, depends on the material capabilities and Irani 7 economic positioning of states. In theory, any government can employ the economic effects doctrine to apply its domestic law to conduct taking place abroad. In practice, however, it is the “presence of assets” within the territorial boundaries of a state that “giv[es] these expansive jurisdictional claims bite,” because it is against such assets that a legal judgment can most easily be enforced (Raustiala, 2009: 113). As such, the centrality of the United States to global economic activity is absolutely crucial in enabling the effective exercise of extraterritorial jurisdiction by US courts. This point is obscured by US governmental officials who have defended the extraterritorial extension of US laws by suggesting that other states could similarly extend their laws to govern conduct taking place abroad (Bell, 1978). But it is crucial in understanding the practices described in this article, and specifically, in understanding the uniquely-broad scope of US extraterritoriality, the relative ease with which the United States is able to extend its laws to govern conduct taking place anywhere in the world.6 The emergence of effects-based extraterritoriality In the next two sections, I show that, in the postwar period, the legal authority of the US government has come to be organized around the notion of the national economy. In this section, I demonstrate the importance of this notion in enabling the emergence of (economic) effects-based extraterritoriality in the 1945 Alcoa case. In the next section, I show the ways in which US judges have constructed the national economy in the decades following Alcoa—specifically, in ways that include US consumers and importers, but exclude US workers located abroad. Prior to 1945, the United States and numerous European states routinely applied their laws to certain conduct taking place in much of the “non-European” world, for example, in China and Japan. However, with some exceptions, in relations between the former states, principles of international law and comity were understood to limit states’ legal authority to acts seen as taking place within their territorial boundaries. Within US law, the quintessential statement of this understanding could be found in American Banana Company v. United Fruit Company (“American Banana”), a 1909 US Supreme Court decision which—ignoring and obscuring the routine nature of US extraterritoriality outside of Europe—is sometimes described as marking the high point of strict territoriality in US law (Slaughter and Zaring, 1997: 3). American Banana was an action to recover damages, brought by the American Banana Company against the United Fruit Company for the latter’s alleged violations of the Sherman Act of 1890 (15 U.S.C.A. §§ 1–2), which, among other things, bans certain contracts or combinations in restraint of trade, as well as the monopolization or attempted monopolization of trade and commerce. The plaintiff, American Banana, alleged that the defendant, United Fruit, had violated the Act primarily through its anticompetitive conduct in what was considered, at various historical moments and by different parties, to be Colombian, Panamanian, and Costa Rican territory. American Banana accused United Fruit of entering into quantity- and price-fixing agreements, and of instigating the Costa Rican government to seize goods and materials destined for American Banana’s plantation (American Banana, US Supreme Court, 1909: 354). 8 European Journal of International Relations 00(0) Justice Holmes, writing for the Supreme Court, dismissed American Banana’s complaint, holding that since the Sherman Act did not apply in Colombian/Panamanian/ Costa Rican territory, the plaintiff had no legal basis on which to sue. The Court characterized its decision as dictated by “[t]he general and almost universal rule” “that the character of an act as lawful or unlawful must be determined wholly by the law of the country where the act is done” (American Banana, US Supreme Court, 1909: 356). Given this rule, the Court stated that “[f]or another jurisdiction, if it should happen to lay hold of the actor, to treat him according to its own notions rather than those of the place where he did the acts, not only would be unjust, but would be an interference with the authority of another sovereign, contrary to the comity of nations, which the other state concerned justly might resent” (American Banana, US Supreme Court, 1909: 356). For three decades after American Banana, Justice Holmes’ declaration—that “the character of an act as lawful or unlawful must be determined wholly by the law of the country where the act is done”—remained dominant in US relations with European states. In the 1945 Alcoa case, however, the Second Circuit Court of Appeals, acting as a court of final appeal because of the Supreme Court’s inability to muster a quorum, reversed course. Specifically, Judge Learned Hand held that the US Justice Department could use the Sherman Act as a basis for the prosecution of a Canadian corporation, Aluminum Limited, for its acts in Switzerland (and specifically, for its entry into a cartel agreement that aimed at limiting production of aluminum). Justifying his decision, Judge Hand pointed to the effects that this agreement could be presumed to have on quantities of aluminum imported into, and on prices of aluminum within, the United States. Judge Hand contended that these effects brought into play the general rule that “any state may impose liabilities, even upon persons not within its allegiance, for conduct outside its borders that has consequences within its borders which the state reprehends” (Alcoa, Second Circuit, 1945: 443, citations removed).7 How are we to understand the Alcoa decision in light of the earlier American Banana one? When one engages in a close reading of the two judgments, what quickly becomes apparent is the very different rationalities, the very different conceptualizations of the proper means and ends of federal government and federal law underlying each decision: these rationalities render different courses of action legitimate and desirable in each case. For Justice Holmes, the author of the earlier American Banana decision, federal government is about controlling and managing a bordered physical space. This understanding of the proper end of federal government is manifest in Justice Holmes’ concern with the locations of acts, his categorization of such acts as inside or outside particular lineson-maps, and the fact that such categorization is determinative of whether or not he thinks US law is to apply (American Banana, US Supreme Court, 1909: 355). Justice Holmes writes: “In the first place the acts causing the damage were done, so far as appears, outside the jurisdiction of the United States and within that of other states. It is surprising to hear it argued that they were governed by the act of Congress” (American Banana, US Supreme Court, 1909: 355, italics added). And, as mentioned above, after listing certain limited exceptions, Holmes continues: “[t]he general and almost universal rule is that the character of an act as lawful or unlawful must be determined wholly by the law of the country where the act is done” (American Banana, US Supreme Court, 1909: 356, italics added). Irani 9 Justice Holmes’ understanding of the proper end of federal government (that is, the control and management of a bordered physical space) is particularly visible in what he does not discuss, and in particular, in his lack of attention to factors other than location. For instance, in American Banana, there is no discussion of the economic implications of the dispute at hand “in” or “for” the United States. There is no discussion of the possible effects of the defendant’s foreign anticompetitive activities on US banana prices or on the overseas opportunities of other US-incorporated companies. Even the injuries to American Banana, itself a US-incorporated corporation, are only mentioned when Justice Holmes summarizes the plaintiff’s claims (that is, not when he discusses the jurisdictional question) (American Banana, US Supreme Court, 1909: 355). Such effects are not yet seen as relevant to the question of legal authority, or, at least, are not the terms in which legal authority can yet be explicitly discussed. In contrast, 35 years later, economic effects are central to Judge Hand’s decision in Alcoa: Judge Hand grounds the application of federal law in the presence of such effects within US borders. Yet, he does not identify any particular individuals or groups located within the United States who might be affected by Aluminum Limited’s agreement to limit production of aluminum. Instead, Judge Hand speaks in general terms about the effects of the aluminum cartel on imports and prices of aluminum, characterizing these effects as “consequences within [the United States’] borders which the state reprehends” (Alcoa, Second Circuit, 1945: 443–444). Implicit in the suggestion that the United States, as an entity, “reprehends” particular economic consequences is the notion of a single national economic unit with a single national economic interest: reduced imports and raised prices are bad for the United States itself, rather than for particular people or classes or even component US states. Although he never actually uses the term, we can see the centrality of what we might today call a “national economy” to Judge Hand’s decision. This economy is made up of components like imports, exports and prices, which need not be identified with any particular individuals, classes, or component states, but can simply be identified with the United States These components are linked: Judge Hand feels comfortable setting up a presumption that reduced imports into the United States will lead to uniformly higher prices throughout US territory (Alcoa, Second Circuit, 1945: 444–445). These components are all cast as located within the United States, since effects on these components are described as consequences “within [the United States’] borders” that the United States reprehends (Alcoa, Second Circuit, 1945: 443–444). Yet they are also cast as vulnerable to economic activities, such as agreements to limit production, taking place abroad: for example, Judge Hand declares that “a depressant upon production which applies generally may be assumed, ceteris paribus, to distribute its effect evenly upon all markets” (Alcoa, Second Circuit, 1945: 444–445). From Judge Hand’s discussion of effects in Alcoa, we can both extract, and see the implications of, a jurisdictional rationality that differs from the one at play in American Banana. In the American Banana decision, federal government is about governing a bordered physical space: as such, US law can be extended to govern, and only to govern, acts taking place within that bordered physical space. In contrast, in the Alcoa decision, federal government is not only about managing a bordered physical space (although it certainly is that). Rather, because that bordered physical space is cast as coterminous 10 European Journal of International Relations 00(0) with a national economy, protecting that space involves protecting that national economy (including its components like imports, exports, and prices) as well. And given the ease with which economic effects are seen to travel across borders, a necessary means to the end of economic protection is the extraterritorial extension of US law. The centrality of the national economy to Judge Hand’s 1945 decision, and its absence in Justice Holmes’ 1909 decision, is not surprising: at the time of Justice Holmes’ decision, no such construct was imagined to exist. As Timothy Mitchell (2005a; 2005b) and Hugo Radice (1984) have shown, in the United States, it was not until in the 1920s and 1930s that new practices of accounting, measuring, and calculating “formed. . .the economy as a new object of professional knowledge and political practice” (Mitchell, 2005b: 126).8 The discipline of Economics was a particularly important site in this process: in this field, innovations (like the practice of national income accounting) and publications (like Keynes’ General Theory of Employment, Interest and Money) enabled the economy to, for the first time, be imagined as the “self-contained structure or totality of relations of production, distribution and consumption of goods in a given geographic space” (Mitchell, 2008, p. 1116; see also Radice, 1984: 121).9 Developments outside the discipline, including in the legal field, also played a role in enabling this imagining of the national economy. For example, in domestic “Commerce Clause” decisions in the first half of the 20th century, federal judges began to link and draw together transactions and processes (like production, distribution, and sales) that they had previously represented as separate.10 In addition, they began to consider the effects of previously “local” transactions on “national” economic indicators. These decisions paved the way for the Supreme Court, by 1942, to explicitly speak in terms of a national economy, which, in a series of later New Deal cases, it assigned to the federal government (rather than the United States’ component states) for protection and promotion (Wickard v. Filburn, US Supreme Court, 1942a: 125–126; A.B. Kirschbaum Co. v. Walling, US Supreme Court, 1942b: 520–521). Judge Holmes was unlikely to suggest that the federal government had the authority to extend US law abroad to manage the US economy because he was unlikely to think in terms of such an economy at all. And, as Miller and Rose (1990: 6) write: “Before one can seek to manage a domain such as the economy it is first necessary to conceptualize a set of processes and relations as an economy which is amendable to management.” By the time of Alcoa, however, “[t]he birth of a language of national economy as a domain with its own characteristics, laws and processes that could be spoken about and about which knowledge could be gained” had enabled that national economy to “become an element in programmes which could seek to evaluate and increase the power of nations by governing and managing ‘the economy’.” (Miller and Rose, 1990: 6)11 As such, in Alcoa, Judge Hand was able to allude to a national economy as grounds for his extraterritorial extension of US law. Delineating the US economy In the previous section, I identified a jurisdictional rationality centered on a national economy and demonstrated its importance in enabling the extraterritorial extension of US law in a particular, and particularly-important, case. In this section, I move from Irani 11 identifying a jurisdictional rationality centered on a national economy, to demonstrating that the legal authority of the federal government of the United States has come to be organized partly in terms of that national economy. By this, I mean that people, entities, and conduct are often represented in extraterritoriality decisions in terms of their relationships to a national economy (rather than in terms of their citizenships or locations): it is these posited relationships that justify their subjections to particular US laws. These relationships are not self-evident or pre-existing, although they are often represented as such by judges, lawyers, and rationalist scholars of extraterritoriality (Putnam, 2009).12 Rather, judges construct these relationships in their decisions, articulating some to and disarticulating others from, the US economy: these articulations enable their extensions of, or refusals to extend, US law. In this way, in deciding against and for whom to bring into play the very material force of US law, judges draw the jurisdictional boundaries of the United States. To clarify my argument, it is useful to return to Asha Kaushal’s (2015) discussion of the “inaugural” function of jurisdiction. To recap, Kaushal (2015: 782) describes the “second order manifestation of inaugural jurisdiction” as the “attachment of an individual, place, or event to a legal and political order”. This is not simply the attachment of an individual, place, or event to an unchanging order: rather, the very act of attachment transforms the order itself, modifying what it contains, where it begins and ends. Below, I show how judges, through their decisions, engage in the work of attaching some, and not others, to the United States: I further identify the shifting coordinates of the political and legal orders that emerge from these attachments and detachments. I do this through a comparison of two legal contexts: antitrust and employment/labor law. Several authors have pointed to a disparity in these contexts: US judges have frequently extended US antitrust laws to govern extraterritorial conduct, but have generally refused to do the same for US employment or labor laws (Putnam, 2009: 460; Turley, 1990: 601–602). I show how this disparity has been enabled by judges’ different articulations, in these two contexts, of particular people and conduct to the United States.13 In decisions in which they invoke the effects doctrine, judges have articulated people and conduct to the US economy in two ways. First, judges have represented certain kinds of actors, activities, indicators, and goods as themselves part of the US economy. They have usually done so implicitly, without defending their decisions about membership but simply casting such membership as fact. Second, judges have represented people and conduct “outside” the US economy as affecting those actors, activities, indicators, and goods that they have already decided are “part of” the US economy. Again, they have usually done so without much explanation, often simply characterizing certain kinds of activities as the causes or consequences of others. Occasionally, however, judges have supported their causal assertions by citing basic and commonplace notions about economic tendencies and rules, making repeated references to, for example, the “laws” of supply and demand (Alcoa, Second Circuit, 1945: 44–45). Although they “may or may not be empirically valid on their own terms” (Weldes, 1999: 13), these causal relationships are important: they work to relate the allegedly causal actors or activities abroad to components of the US economy, and so to trigger Congress’ authority to protect that economy from externally-originating harm. As such, these relationships serve as “warranting conditions” (Weldes, 1999: 13), enabling extensions of US laws abroad.

Taking each of these moments of articulation in turn. First, judges have cast very different kinds of actors as themselves part of the US economy in the antitrust and labor contexts, that is, they have represented the composition of the US economy very differently in these two contexts. In antitrust cases, judges have represented US consumers as part of the US economy, so that their losses can be seen as national losses, their gains national gains. So, for example, as previously discussed, in Alcoa, Judge Hand described the higher prices of aluminum to be paid by US consumers as “consequences within [US] borders which the state reprehends” (Alcoa, Second Circuit, 1945: 443, citations removed). In addition, judges have represented US importers, searching for commodities abroad, as part of the US economy, so that interference with their business would amount to interference with the US economy itself. So, for example, in Occidental Petroleum v. Buttes Gas Company (Central District of California, 1971: 102–103), a US District Court stated that one US corporation’s interference with another US corporation’s “business of extracting and importing oil into the United States” through acts in the Persian Gulf would affect US commerce in ways that would, in theory, justify the extension of US law.14

In contrast, judges have defined the composition of the US economy much more narrowly in employment/labor cases. In particular, they have failed or refused to characterize US workers located abroad as part of the US economy. For example, only 4 years after Alcoa, the Supreme Court in Foley (1949: 284) refused to apply a federal overtime pay law to the activities of Foley Bros, a US corporation, undertaking construction projects for the US government in Iran and Iraq: it refused to do so despite the fact that the employee in question, Filardo, was a US citizen. This refusal to cast US workers abroad as part of the US economy continued half a century later. So, for example, in 1991, in Aramco (US Supreme Court, 1991: 247–248), the Supreme Court refused to extend Title VII of the Civil Rights Act (banning employment discrimination on the basis of, among other things, race, religion and national origin) to govern the conduct of a US incorporated corporation in Saudi Arabia, even though the employee in question, Ali Bourselan, was a US citizen and the employment relationship had begun in the US In both these cases, there was no suggestion that the lost wages of US citizens, like the lost profits of US importers, might amount to losses for the US economy (despite the fact that US citizens are often taxed on their global earnings). Instead, in failing to mention or use the economic effects doctrine to extend US law in Foley and Aramco, the Supreme Court characterized the lost wages of US citizens as both localized and private, as theirs alone.

Judges have not simply represented the composition of the US economy very differently in the antitrust and employment/labor contexts. They have also represented the relationships between economic activities, markets, or indicators across national borders very differently in the two contexts. In the antitrust context, judges have emphasized the cross-border consequences of anticompetitive activities, linking activities in one state to economic indicators in others. In Alcoa, for instance, the Second Circuit (1945: 444– 445) connected the contract to limit production, signed in Switzerland, to prices in the United States: it did so by invoking an economic “law” that “a depressant upon production which applies generally may be assumed, ceteris paribus, to distribute its effect evenly upon all markets.” In contrast, in the labor and employment contexts, US judges have routinely cast employment practices and labor markets in different states as unconnected and distinct. For instance, in the Foley and Aramco decisions described above, the Supreme Court never explicitly entertained the possibility that wages, hours or discriminatory employment practices outside US borders could have any effects on workers within what it considered US territory, despite the fact that the practices in question were those of US corporations employing US citizens abroad.

The economic worlds described by US courts in the antitrust and labor contexts are very different. In the antitrust context, courts have painted a picture of a world in which economic activities are not contained by national borders. In Alcoa, the Supreme Court went so far as to entirely ignore such borders, never mentioning how US tariffs might affect the “laws” of supply and demand. In contrast, in the employment/labor context, as in Aramco and Foley, courts have failed or refused to draw connections between working conditions across borders. There are many such connections that could be drawn. For example, courts could presume that discriminatory employment practices of US employers, of the kind at issue in Aramco, could result in greater unemployment within US borders, as discharged employees return home. Or courts could presume, using an often-invoked “race to the bottom” narrative, that weak employment laws abroad would lead to unemployment or to the lowering of labor standards within the United States, as American companies relocate to states that offered the most to employers, or threaten to do the same. In cases like Aramco and Foley, either presumption would have suggested the existence of sufficient effects within the United States to justify the extraterritorial extension of US law. However, rather than make any such connections, which are surely no more speculative than the connections invoked in antitrust cases like Alcoa, US courts tend to represent labor markets in different countries as unconnected, as distinct.

Contrasting extraterritoriality decisions in the contexts of antitrust and employment/ labor law, we can see how US judges draw some into the reach of US law, and eject others from that same reach. Approaching the state as constituted by and instantiated in its jurisdictional assertions, these moves, when coupled with enforcement, can be understood as moments at which the state is brought into being in particular locations and at particular times (quite possibly, to move on again). These decisions can be understood as instances of boundary-making, as judges draw lines, in particular cases, between the inside and the outside. The above discussion shows that the resultant boundaries are not perfectly, or even roughly, coincident with the lines-on-maps that are often understood to mark the boundaries of US territory. Rather, it shows that the resultant boundaries are organized around the notion of the national economy, as the US state expands to incorporate those deemed to be significant, and contracts to eject those deemed unimportant, to that economy.15

#### The blockchain has no technological merit---it exists only to solidify colonial consolidation of the global South through extraction and profit accumulation.

Jutel 21, (Jutel, Olivier (2021). Blockchain imperialism in the Pacific. Big Data & Society, 8(1), 205395172098524. <https://doi.org/10.1177/2053951720985249> ND.)

Cartographies of control This amalgam of developers and NGOs brought together by the US State Department do not merely acculturate the development sector to a hegemonic techno-solutionism, but help construct the imperial geography of blockchain. In his launching address of Tech Camp, US Charge d’Affaires Michael Goldman underscored the State Department’s role in fostering blockchain as a means by which they could advance US development goals (2018). Goldman referenced the department’s ‘Blockchain@State Forum’ cosponsored by ConsenSys which sought to develop blockchain solutions for aid programs and the internal workings of the department (Stanley, 2017). At the heart of the Washington DC forum was selfsovereign identity as a technology of the state. The seeming paradox of this cyber-libertarian language of statelessness as a means of US statecraft is explicated by Joe Lubin as a platform for developing world subjects: Once people own their own identity [via blockchain], then they’re less enthralled to their governments and less subject to adverse situations like natural disasters and wars. So, if someone is ejected from their country, if they’ve already established self-sovereign identity they can reconstitute their life. (Stanley, 2017) Blockchain would thus serve to liberate subjects from the developing world state and replaces universal rights and citizenship with a fragmented blockchain subjectivity. Lubin is pitching ConsenSys applications and the blockchain as part of an emerging platform architecture of digital identity for imperial resource management (Kintsler, 2019). The American state may ration resources or determine migration rights though the combination of biometrics, proof of reputation and social media data secured on the blockchain. This blockchain infrastructure of what Madianou terms ‘biometric assemblage’ (2019a), justified on governance principles of accountability and transparent auditing, can be interchangeably utilized under imperialist logics of border security, capitalism and solutionism. The utility of blockchain governance projects and the role of national security contractors like Palantir in managing developing world data is in filling out this emerging infrastructure of control and mapping the developing world for threats and resources. The developing world blockchain governance initiative most consistent with ICT4D rhetoric and imperial cartographies of control are land registries. The Global Blockchain Business Council (GBBC), whose CEO was scheduled to attend Tech Camp but prevented last minute due to a tropical cyclone, demonstrates how blockchain land registries are the apogee of the neoliberal development model. The GBBC describes its work as blockchain ‘education, advocacy and partnership’ in ‘developing the next trillion-dollar industry’ (2020). In a seeming caricature of neoliberal cosmopolitanism and imperial philanthropy, the council boasts of having been conceived on Richard Branson’s private island and launched at Davos (GBBC, 2020). Oxfam’s Sandra Hart is a regional ambassador for the GBBC and its board of directors includes Hernando de Soto as its chief economist. The preeminent theorist of neoliberalism in the developing world known as the ‘Friedrich Von Hayek of Latin America’ (Ames and Levine, 2013) de Soto’s central preoccupation has been formalizing private property rights. In a Wall Street Journal editorial entitled ‘How Blockchain Can End Poverty’, de Soto and his co-author envision developing world resources of $170 trillion governed under ‘a single computer platform [that], can share the blessings of private-property registration with the whole world’ (Gramm and de Soto, 2018). Encoding property rights beyond the purview of the developing world state, coupled with ‘satellite technology’ and the ‘organized knowledge about the location of every visible asset on earth’ (Gramm and de Soto, 2018) approaches something like a planetary totality for computational capitalism. In Fiji, this process has begun under the auspices of the Japanese- and American-led ADB and the consultancy firm KPMG in developing a prototype to manage the leasing and registration of indigenous Fijian lands. Ninety percent of land in Fiji is owned by indigenous (iTaukei) communal groups and administered by the government’s iTaukei Land Trust Board (TLTB) which overseas lease tenders and the payment of dividends to iTaukei all the way down to the tokatoka or family unit. The TLTB CEO describes the project as a ‘digitized land strategy’ which includes ‘data cleansing...digitizing processes...[and] a blockchain prototype for TLTB to have an online service platform’ (Reece, 2019). The ADB’s proposed prototype boasts the usual governance efficiencies of immutable digitization as a protection against corruption and a lack of transparency (Rono et al., 2018). ~ 9 Katafono, having been approached to develop this prototype, has expressed scepticism of the utility of blockchain for land registration in Fiji as opposed to ‘a centralized database...lot[s] of countries do that it’s not difficult’ (Katafono, 2019, Personal Communication, July 12). He cites examples such as Dubai where the intention is ‘to transact land titles on the blockchain, allowing for buying selling with cryptocurrencies in the future...In the Pacific or in Fiji I am not sure why they would use blockchain’ (Katafono, 2019, Personal Communication, July 12). The undergirding principle is of efficiency gains made through Hayekian notions of real-time price-signals via the recording of transactions on a blockchain ‘decentralized marketplace’ (Rono et al., 2018). The ~ ADB envision that blockchain linked SMS messaging will be the ultimate decision-making mechanism to manage and bring communal lands to market. The ‘permissioned members’ of the TLTB blockchain app are the ‘core public agencies’ (TLTB), ‘auxiliary public agencies’ (other government departments) and ‘private organizations’ such as banks, insurance and investment companies (Rono et al., 2018). Building private invest- ~ ors into the core governance structure of the TLTB through smart contracts represents a prizing open of opaque customary lands into global capital flows. The production of immutable data presages the ability of capital to map resources and leverage informational imbalances. Further to de Soto’s vision of intensively cataloguing developing world assets, the ability to appraise the previously unknown land and encode this information as tradeable property rights logically brings with it the drive to collect indigenous knowledge for bioprospecting and genetic patent development (Rose, 2016). Fiji is not the first developing nation to experiment with blockchain land registration, but what is at stake is a history of resistance to the imperialist calculus of quantification for exploitation and profit. The British Native Lands Commission of 1880 sought to ‘define and register all native lands so that a clear system might be established to delineate properties that could be bought and sold’ (Nicole, 2016: 1). The threat of data production was well understood: Surveyors and the instruments by which they named, marked and mapped the land, were regular targets of retribution. They represented the means by which colonization advanced physically on the ground. (Nicole, 2016: 2) In addition to attacking surveying equipment resistance tactics included the constant modification of oral accounts of land possession and non-compliance with the commission under threat of perjury (Nicole, 2016). It is this history of struggle which protected native lands and has guided the TLTB’s notion of land usage and ownership as being ‘held by iTaukei in according to iTaukei custom as evidenced by usage and traditions’ (Native Lands Act, 1978). To put it in the terms of blockchain, a mutable truth was key to preserving these lands for future generations. The ‘problem’ of land registration in need of a rational ‘techno-solution’ is the legacy of human resistance to colonial expropriation which has preserved indigenous lands. Conclusion The emergence of blockchain in the development sector foregrounds its role as a technology and discourse, at the fulcrum of American soft power initiatives, Silicon Valley solutionism and the promises of big data. This is a discourse that inculcates solutionism and a Silicon Valley performative style in the development sector, while materially expanding the purview of computational capitalism. Blockchain promises of disintermediation mask the entrenchment of North–South imbalances of data power, experimentation on developing world societies for proprietary platforms like ConsenSys and the attempt to control developing world resources via blockchain. In this context, blockchain data empowerment resembles Hayekian price mechanisms and digital property law mediating all manner of social practices beyond the purview of the state. The power of blockchain is not the technology itself, which rarely demonstrably satisfies its own terms of success, but its highly ideological notion of data 10 Big Data & Society governance. Blockchain imperialism thus functions as a new data cartography of control oscillating between the objectives of state, capital and the solutionist prospecting of developers. The emergence of a Pacific blockchain frontier is a product of US State Department advocacy, the innovation imperatives of development organizations and the cyber-vanguard’s Oceanic imaginary. The desire for a new world built upon blockchain technology, the fetishization of indigenous peoples and cyberlibertarian island fantasies converge to produce the Pacific blockchain frontier. The most utopian pronouncements and exploitative blockchain projects are inseparable. In the case of PNG, a blockchain SEZ project claims that the subsumption of traditional economies will place indigenous people at the forefront of a blockchain revolution. Vanuatu has simultaneously emerged as a site of cryptocurrency tax avoidance and blockchain innovation for humanitarianism. Oxfam’s partnership with Sempo and ConsenSys in delivering cash assistance has allowed Oxfam to position itself as a blockchain innovator. The self-evident good of blockchain solutionism here skirts the regulatory environment, considerable technological deficits, the failures of disintermediation and a dependence upon for-profit platform developers. For Sempo and ConsenSys, the ability to experiment upon developing world communities is geared towards generating interest in the tech press and Silicon Valley in anticipation of selling proprietary applications and platforms. The substantive outcome of this project is the ability of Oxfam to leverage its humanitarian brand for financial innovation that is geared less towards Ni-Vanuatu than in solidifying solutionist credentials and auditioning as a supplementary platform for blockchain imperialism. Far from the promises of decentralized and transparent data empowering all participants, data production in Pacific blockchain projects redounds to imperial hierarchies. The material impediments to connectivity have meant that Pacific blockchain participants may feed into data production but face hardware deficits, cost barriers and blockchain literacy problems that preclude the use of this data. The failures of data governance are elided by a solutionist faith in the bounty of connectivity still to come; in the case of Oxfam, disintermediation is imagined through crypto exchanges, while for Viant, blockchain growth overcomes data collection problems. While these projects do not demonstrate proof of concept, there is a rhetorical success in opening-up lands to markets, control of supply chains and forms of digital identity which make up blockchain cartographies of control. The coalescence of NGOs, foreign governments and developers around blockchain constitutes a cultural imperialist power to bring the rationalities of big data and blockchain into the Pacific. The height of this extractive North–South relationship is in is reimagining Fijian indigenous lands and customary practices as a blockchain marketplace bringing these assets into the calculus of computational capitalism. Under the guise of humanitarian innovation, blockchain threatens a history of indigenous self-determination and in seeking to bring into being the world it describes necessarily relies upon the mediating institutions of imperial power rather than technological merit.

#### The American “national economy” can only sustain itself by externalizing the negatives of capitalist growth onto the periphery. Western capitalism is unsustainable, reform only prolongs imperial exploitation, escalating interventionism, and neoliberal austerity.

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To answer these questions, we must come to grips with a key feature of the world economy—one that pundits in the global North tend either to ignore or wish away—namely, the fact that capitalist growth is fundamentally dependent on imperialism. This arrangement, which has persisted now for 500 years in various forms, is beginning to come under significant strain, and climate breakdown is likely to widen the cracks. This opens up opportunities for change, but also poses significant dangers. Everything depends on how governments and social movements choose to respond.

The key thing to grasp is that, under capitalism, “growth” is not about increasing production in order to meet human needs. It is about increasing production in order to extract and accumulate profit. That is the overriding objective. To keep such a system going requires several interventions. First, you have to cheapen the prices of inputs (labor, land, materials, energy, suppliers, etc.) as much as possible, and maintain those prices at a low level. Second, you have to ensure a constantly increasing supply of those cheap inputs. And third, you need to establish control over captive markets that will absorb your output.

Growth along these lines cannot occur within an isolated system. If you place too much pressure on your domestic resource base or your domestic working class, sooner or later you are likely to face a revolution. To avoid such an outcome, capitalism always requires an “outside,” external to itself, where it can cheapen labor and nature with impunity and appropriate them on a vast scale; an outside where it can “externalize” social and ecological damages, where rebellions can be contained, and where it does not have to negotiate with local grievances or demands.

This is where the colonies come in. From the origins of capitalism in the late 15th century, growth in the “core” of the world economy (Western Europe, the United States, Canada, Australia, New Zealand and Japan) has always depended on the sabotage of labor and resources in the “periphery”. Consider the silver plundered from the Andes, the sugar and cotton extracted from land appropriated from Indigenous Americans, the grain, rubber, gold and countless other resources appropriated from Asia and Africa, and the mass enslavement and indenture of African and Indigenous people—all of which exacted a staggering human and ecological toll. On top of this, colonizers destroyed local industries and self-sufficient economies wherever they went, in order to establish captive markets. There was no lag between the rise of capitalism and the imperial project. Imperialism was the *mechanism* of capitalist expansion.

As the Indian economists Utsa Patnaik and Prabhat Patnaik put it, capitalist growth requires an imperial arrangement—not as a side gig but as a *structurally necessary feature*. Imperialism ensures that inputs remain cheap, and thus maintains the conditions for capital accumulation. But it also underpins the fragile inter-class truce that prevails in the core states. If you’re going to raise the real wages of the working classes in the core, or take steps to protect the local ecology, then in order to maintain capital accumulation you have to compensate for this by depressing the costs of labor and nature elsewhere, namely, among workers and producers in the global South. Ever since the rise of the labor movement in the late 19th century, capital’s concessions to the working classes in Europe and the United States have been possible in large part because of imperialism.

This arrangement came under strain in the middle of the 20th century, however, as radical anti-imperialist movements gained traction across the global South. After winning political independence, many Southern governments set about dismantling colonial systems of extraction. They protected their economies and supported their domestic producers using tariffs, subsidies and capital controls; they instituted land reforms; they nationalized key resources and industries; they rolled out public services and improved workers’ wages. This movement was successful in advancing economic sovereignty and improving human development across much of the South. But it also constrained the core’s access to cheap labor and nature, and reduced their control over Southern markets.

The collapse of the imperial arrangement posed a significant threat to Northern capital accumulation. This problem was mitigated for a time by Keynesian policy: massive government expenditure boosted aggregate demand in the global North and generated an extraordinary economic expansion, providing a temporary “fix” for capital. Further concessions to the working classes of the core were sustained under these conditions, permitting the rise of social democracy in some states. But this fix could only hold for so long. As wages rose in the core and the supply price rose in the periphery, growth ground to a halt, capital accumulation became increasingly untenable, and by the mid-1970s the economies of the global North were overcome by a full-blown crisis of stagflation. As it turns out, capitalism cannot function for long under conditions of global justice. Fair wages and decolonization are compatible with a functioning economy, but they are not compatible with a functioning capitalist economy, because they limit the possibility of capital accumulation.

To deal with the crisis of the 1970s, capital needed a way to restore the imperial arrangement, to once again depress Southern prices and regain access to Southern markets. To achieve this, the core states intervened to depose progressive leaders in the global South—including, most prominently, Mossadegh in Iran, Arbenz in Guatemala, Sukarno in Indonesia, Nkrumah in Ghana, and Allende in Chile—replacing them with regimes more amenable to Northern economic interests. But the final blow was delivered by the World Bank and the IMF, which during the 1980s and 1990s imposed neoliberal structural adjustment programs (SAPs) across the region. This move shifted control over economic policy from the national parliaments of the South to technocrats in Washington and bankers in New York and London, ending the brief era of economic sovereignty. SAPs dismantled protections on labor and the environment, privatized public goods and cut public spending, reversing the reforms of the anti-colonial movement in one fell swoop.

It worked: wages and prices in the South collapsed under structural adjustment, and the new “free trade” regime allowed Northern capital to shift production abroad in order to take direct advantage of cheap labor and inputs. This enabled a massive increase in the scale and intensity of appropriation from the global South during the 1980s and 1990s, restoring the imperial arrangement and resolving the crisis of capitalism. Those who see neoliberalism as the main problem, and who fantasize about reverting to a less destructive version of capitalist growth, fail to grasp this point. The neoliberal turn was not some kind of mistake; it was necessary to restore the conditions for growth in the core. It was the obligatory next step in capitalist development.

But now, as the 21st century wears on, the engines of imperial appropriation are slowing down again. This reality is evident in the declining rate of economic growth in the core states, which economists have come to refer to as “secular stagnation.” This is happening for several reasons.

First, in the wake of structural adjustment, the collapse of the USSR, and the semi-integration of China, there are few nation-states and territories left that have not been brought into the remit of the capitalist world system. Imperialist expansion has effectively reached the limits of the planet. Now, instead of shifting production to new pools of cheap labor, capital has to deal with the existing workforce and their demands for higher wages. Second, certain regions of the South—specifically China and the leftist states of South America—are managing to push back against imperialism and improve their terms of trade, even while operating within the basic structure of the capitalist economy. All of this is leading to a rising supply price, which spells trouble for capital accumulation — and growth — in the core.

But perhaps most importantly — and this is the clincher — climate change and ecological breakdown are beginning to undermine the conditions of production on the tropical landmass. This is beginning to manifest already, with climate chaos ravaging parts of Central America, the Middle East and North Africa, driving social dislocation and human displacement. Without some kind of dramatic change in direction it will get much worse. With existing policies, we are headed for 2.7 degrees of heating this century, which is likely to trigger multi-breadbasket failure and sustained food supply disruptions across large parts of the global South, displace more than 1.5 billion people, wipe out 30–50% of species, and render much of the tropics uninhabitable for humans.

This is a problem for capital, because growth in the global North depends utterly on production in the global South and depends utterly on Southern land and resources—today just as much as during the colonial period. Recent research finds that rich countries rely on a net appropriation of land equal to twice the size of India, a net appropriation of 10 billion tons of material resources per year, and a net appropriation of embodied labor equivalent to a standing army of 180 million workers. This means that as labor is displaced and disrupted, and as the productive capacity of land is constrained by heatwaves, wildfires, storms and desertification, this will lead to a rising supply price in the core that will trigger a severe crisis for capital—more serious than anything it has yet encountered.

The question is, how will the core states respond? To maintain the rate of growth and capital accumulation in the face of this crisis, they will have to find a way to cut the supply price once again.

There are two obvious possibilities. One option is to cut wages in the core states, shred the welfare system and privatize public services, all of which would help cheapen inputs and open up new frontiers for accumulation, giving some reprieve to capital. This option — domestic neoliberal austerity — was deployed in the US and Britain during the 1980s as part of the response to the initial collapse of the imperial arrangement. Now it is being increasingly taken up by the European social democracies themselves, including the Nordics.

Of course, the risk of this approach is that it could trigger a backlash from the domestic working class, which could coalesce into a socialist revolution. Aware of this danger, politicians will seek to promote anti-immigrant and white nationalist narratives. By directing working-class grievance toward an “other,” this approach gets people to accept their own immiseration, so long as they can feel an affinity with the ruling class on the basis of race, and feel superior to people of colour who are kept in conditions more miserable than their own. This strategy has long been used to support the neoliberal project in the United States, and the ruling classes of the UK and Europe are now also turning to this playbook. Boris Johnson is a master of this in British politics.

The second option is that the core states could double down on imperialism. It is not difficult to imagine new rounds of invasion and occupation intended to force Southern prices back down. The recent coup in Bolivia, backed by the U.S. with its rising appetite for cheap lithium, offers hints of what might come. And it is clear that the Biden administration, just as under Trump before him , is already preparing the grounds for aggression against China, among other things to constrain China’s domestic demand for resources. Imperialist interventions that cheapen the supply price would allow capitalists in the global North to maintain accumulation and sustain their truce with the working classes of the core for a little while longer, even as the world crumbles around them.

If left to itself, this is how the capitalist story will play out in the 21st century: neoliberal austerity, white supremacist ideology, and violent imperialist interventions—all for the sake of maintaining growth and capital accumulation in the core. Indeed, this barbarism is already well underway. Liberal politicians denounce the barbarism at every opportunity, and yet they cannot bring themselves to address its underlying causes because they remain fundamentally committed to capitalist growth. The solution that the liberals offer—capital accumulation without barbarism— is a chimera.

There is an alternative ending to this story, however. If the core states shift to a post-growth, post-capitalist economic model—in other words, if they abandon the growth imperative and curtail capital accumulation—this would obviate the need for austerity and imperialist interventions. This is the power of post-growth transition: it would liberate all of us, in North and South alike, from the predatory interventions that are required to sustain capital accumulation.

#### The alternative is a worker’s international. Latent unrest exists globally, international movements directed by the Global South can counter capitalist imperialism.

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Appearing simultaneously with this new reactionary political formation in the United States is a resurgent movement for socialism, based in the working-class majority and dissident intellectuals. The demise of U.S. hegemony within the world economy, accelerated by the globalization of production, has undermined the former, imperial-based labor aristocracy among certain privileged sections of the working class, leading to a resurgence of socialism.9 Confronted with what Michael D. Yates has called “the Great Inequality,” the mass of the population in the United States, particularly youth, are faced with rapidly diminishing prospects, finding themselves in a state of uncertainty and often despair, marked by a dramatic increase in “deaths of despair.”10 They are increasingly alienated from a capitalist system that offers them no hope and are attracted to socialism as the only genuine alternative.11 Although the U.S. situation is unique, similar objective forces propelling a resurgence of socialist movements are occurring elsewhere in the system, primarily in the Global South, in an era of continuing economic stagnation, financialization, and universal ecological decline.

But if socialism is seemingly on the rise again in the context of the structural crisis of capital and increased class polarization, the question is: What kind of socialism? In what ways does socialism for the twenty-first century differ from socialism of the twentieth century? Much of what is being referred to as socialism in the United States and elsewhere is of the social-democratic variety, seeking an alliance with left-liberals and thus the existing order, in a vain attempt to make capitalism work better through the promotion of social regulation and social welfare in direct opposition to neoliberalism, but at a time when neoliberalism is itself giving way to neofascism.12 Such movements are bound to fail at the outset in the present historical context, inevitably betraying the hopes that they unleashed, since focused on mere electoral democracy. Fortunately, we are also seeing the growth today of a genuine socialism, evident in extra-electoral struggle, heightened mass action, and the call to go beyond the parameters of the present system so as to reconstitute society as whole.

The general unrest latent at the base of U.S. society was manifested in the uprisings in late May and June of this year, which took the form, practically unheard of in U.S. history since the U.S. Civil War, of massive solidarity protests with millions of people in the streets, and with the white working class, and white youth in particular, crossing the color line *en masse* in response to the police lynching of George Floyd for no other crime than being a Black man.13 This event, coming in the midst of the COVID-19 pandemic and the related economic depression, led to the June days of rage in the United States.

But while the movement toward socialism, now taking hold even in the United States at the “barbaric heart” of the system, is gaining ground as a result of objective forces, it lacks an adequate subjective basis.14 A major obstacle in formulating strategic goals of socialism in the world today has to do with twentieth-century socialism’s abandonment of its own ideals as originally articulated in Karl Marx’s vision of communism. To understand this problem, it is necessary to go beyond recent left attempts to address the meaning of communism on a philosophical basis, a question that has led in the last decade to abstract treatments of The Communist Idea, The Communist Hypothesis, and The Communist Horizon by Alain Badiou and others.15 Rather, a more concrete historically based starting point is necessary, focusing directly on the two-phase theory of socialist/communist development that emerged out of Marx’s Critique of the Gotha Programme and V. I. Lenin’s The State and Revolution. Paul M. Sweezy’s article “Communism as an Ideal,” published more than half a century ago in Monthly Review in October 1963, is now a classic text in this regard.16

Marx’s Communism as the Socialist Ideal In The Critique of the Gotha Programme—written in opposition to the economistic and laborist notions of the branch of German Social Democracy influenced by Ferdinand Lassalle—Marx designated two historical “phases” in the struggle to create a society of associated producers. The first phase was initiated by the “revolutionary dictatorship of the proletariat,” reflecting the class-war experience of the Paris Commune and representing a period of workers’ democracy, but one that still carried the “defects” of capitalist class society. In this initial phase, not only would a break with capitalist private property take place, but also a break with the capitalist state as the political command structure of capitalism.17 As a measure of the limited nature of socialist transition in this stage, production and distribution would inevitably take the form of to each according to one’s labor, perpetuating conditions of inequality even while creating the conditions for their transcendence. In contrast, in the later phase, the principle governing society would shift to from each according to one’s ability, to each according to one’s need and the elimination of the wage system.18 Likewise, while the initial phase of socialism/communism would require the formation of a new political command structure in the revolutionary period, the goal in the higher phase was the withering away of the state as a separate apparatus standing above and in antagonistic relation to society, to be replaced with a form of political organization that Frederick Engels referred to as “community,” associated with a communally based form of production.19 In the later, higher phase of the transition of socialism/communism, not only would property be collectively owned and controlled, but the constitutive cells of society would be reconstituted on a communal basis and production would be in the hands of the associated producers. In these conditions, Marx stated, “labor” will have become not a mere “means of life” but “itself…the prime necessity of life.”20 Production would be directed at use values rather than exchange values, in line with a society in which “the free development of each” would be “the condition for the free development of all.” The abolition of capitalist class society and the creation of a society of associated producers would lead to the end of class exploitation, along with the elimination of the divisions between mental and manual labor and between town and country. The monogamous, patriarchal family based on the domestic enslavement of women would also be surmounted.21 Fundamental to Marx’s picture of the higher phase of the society of associated producers was a new social metabolism of humanity and the earth. In his most general statement on the material conditions governing the new society, he wrote: “Freedom, in this sphere [the realm of natural necessity], can consist only in this, that socialized man, the associated producers, govern the human metabolism of nature in a rational way…accomplishing it with the least expenditure of energy” in the process of promoting conditions of sustainable human development.22 Writing in The State and Revolution and elsewhere, Lenin deftly captured Marx’s arguments on the lower and higher phases, depicting these as the first and second phases of communism. Lenin went on to emphasize what he called “the scientific distinction between socialism and communism,” whereby “what is usually called socialism was termed by Marx the ‘first,’ or lower phase of communist society,” whereas the term communism, meaning “complete communism,” was most appropriately used for the higher phase.23 Although Lenin closely aligned this distinction with Marx’s analysis, in later official Marxism this came to be rigidified in terms of two entirely separate stages, with the so-called communist stage so removed from the stage of socialism that it became utopianized, no longer seen as part of a continuous or ongoing struggle. Based on a wooden conception of the socialist stage and the intermediary principle of distribution to each according to one’s labor, Joseph Stalin carried out an ideological war against the ideal of real equality, which he characterized as a “reactionary, petty-bourgeois absurdity worthy of a primitive sect of ascetics but not of a socialist society organized on Marxist lines.” This same stance was to persist in the Soviet Union in one way or another all the way to Mikhail Gorbachev.24 Hence, as explained by Michael Lebowitz in The Socialist Imperative, “rather than a continuous struggle to go beyond what Marx called the ‘defects’ inherited from capitalist society, the standard interpretation” of Marxism in the half-century from the late 1930s to the late ’80s “introduced a division of post-capitalist society into two distinct ‘stages,’” determined economistically by the level of development of the productive forces. Fundamental changes in social relations emphasized by Marx as the very essence of the socialist path were abandoned in the process of living with and adapting to the defects carried over from capitalist society. Instead, Marx had insisted on a project aimed at building the community of associated producers “from the outset” as part of an ongoing, if necessarily uneven, process of socialist construction.25 This abandonment of the socialist ideal associated with Marx’s higher phase of communism was wrapped up in a complex way with changing material (and class) conditions and eventually the demise of Soviet-type societies, which tended to stagnate once they ceased to be revolutionary and even resurrected class forms, heralding their eventual collapse as the new class or nomenklatura abandoned the system. As Sweezy argued in 1971, “state ownership and planning are not enough to define a viable socialism, one immune to the threat of retrogression and capable of moving forward on the second leg of the movement to communism.” Something more was needed: the continuous struggle to create a society of equals.26 For Marx, the movement toward a society of associated producers was the very essence of the socialist path embedded in “communist consciousness.”27 Yet, once socialism came to be defined in more restrictive, economistic terms, particularly in the Soviet Union from the late 1930s onward, in which substantial inequality was defended, post-revolutionary society lost the vital connection to the dual struggle for freedom and necessity, and hence became disconnected from the long-term goals of socialism from which it had formerly derived its meaning and coherence. Based on this experience, it is evident that the only way to build socialism in the twenty-first century is to embrace precisely those aspects of the socialist/communist ideal that allow a theory and practice radical enough to address the urgent needs of the present, while also not losing sight of the needs of the future. If the planetary ecological crisis has taught us anything, it is that what is required is a new social metabolism with the earth, a society of ecological sustainability and substantive equality. This can be seen in the extraordinary achievements of Cuban ecology, as recently shown by Mauricio Betancourt in “The Effect of Cuban Agroecology in Mitigating the Metabolic Rift” in Global Environmental Change.28 This conforms to what Georg Lukács called the necessary “double transformation” of human social relations and the human relations to nature.29 Such an emancipatory project must necessarily pass through various revolutionary phases, which cannot be predicted in advance. Yet, to be successful, a revolution must seek to make itself irreversible through the promotion of an organic system directed at genuine human needs, rooted in substantive equality and the rational regulation of the human social metabolism with nature.30 Freedom as Necessity Building on G. W. F. Hegel’s philosophy, Engels famously argued in Anti-Dühring that real freedom was grounded in the recognition of necessity. Revolutionary change was the point at which freedom and necessity met in concrete praxis. Although there was such a thing as blind necessity beyond human knowledge, once objective forces were grasped, necessity was no longer blind, but rather offered new paths for human action and freedom. Necessity and freedom fed on each other, requiring new periods of social change and historical transcendence.31 In illustrating this materialist dialectical principle, Lenin acutely observed, “we do not know the necessity of nature in the phenomena of the weather. But while we do not know this necessity, we do know that it exists.”32 We know the human relation to the weather and nature in general inevitably varies with the changing productive relations governing our actions. Today, the knowledge of anthropogenic climate crisis and of extreme weather events is removing human beings from the realm of blind necessity and demanding that the world’s population engage in the ultimate struggle for freedom and survival against catastrophe capitalism. As Marx stated in the context of the severe metabolic rift imposed on Ireland as a result of British colonialism in the nineteenth century, the ecological crisis presents itself as a case of “ruin or revolution.”33 In the Anthropocene, the ecological rift resulting from the expansion of the capitalist economy now exists on a scale rivaling the biogeochemical cycles of the planet. However, knowledge of these objective developments also allows us to conceive the necessary revolution in the social metabolic reproduction of humanity and the earth. Viewed in this context, Marx’s crucial conception of a “community of associated producers” is not to be viewed as simply a far-off utopian conception or abstract ideal but as the very essence of the necessary human defense in the present and future, representing the insistent demand for a sustainable relation to the earth.34 But where is the agent of revolutionary change? The answer is that we are seeing the emergence of the material preconditions of what can be called a global environmental proletariat. Engels’s Condition of the Working Class in England, published in 1845, was a description and analysis of working-class conditions in Manchester, shortly after the so-called Plug Plot Riots and at the height of radical Chartism. Engels depicted the working-class environment not simply in terms of factory conditions, but much more in terms of urban developments, housing, water supply, sanitation, food and nutrition, and child development. The focus was on the general epidemiological environment enforced by capitalism (what Engels called “social murder” and what Norman Bethune later called “the second sickness”) associated with widespread morbidity and mortality, particularly due to contagious disease.35 Marx, under the direct influence of Engels and as a result of his own social epidemiological studies twenty years later while writing Capital, was to see the metabolic rift as arising not only in relation to the degradation of the soil, but equally, as he put it, in terms of “periodical epidemics” induced by society itself.36 What this tells us—and we could find many other illustrations, from the Russian and Chinese Revolutions to struggles in the Global South today—is that class struggle and revolutionary moments are the product of a coalescence of objective necessity and a demand for freedom emanating from material conditions that are not simply economic but also environmental in the broadest sense. Revolutionary situations are thus most likely to come about when a combination of economic and ecological conditions make social transformations necessary, and where social forces and relations are developed enough to make such changes possible. In this respect, looked at from a global standpoint today, the issue of the environmental proletariat overlaps with and is indistinguishable from the question of the ecological peasantry and the struggles of the Indigenous. Likewise, the struggle for environmental justice that now animates the environmental movement globally is in essence a working-class and peoples’ struggle.37 The environmental proletariat in this sense can be seen as emerging as a force all over the world, as evident in the present period of ecological-epidemiological struggle in relation to COVID-19. Yet, the main locus of revolutionary ecological action in the immediate future remains the Global South, faced with the harsh reality of “imperialism in the Anthropocene.”38 As Samir Amin observed in Modern Imperialism, Monopoly Finance Capital, and Marx’s Law of Value, the triad of the United States, Europe, and Japan is already using the planet’s bio-capacity at four times the world average, pointing toward ecological oblivion. This unsustainable level of consumption of resources in the Global North is only possible because a good proportion of the bio-capacity of society in the South is taken up by and to the advantage of these centers [in the triad]. In other words, the current expansion of capitalism is destroying the planet and humanity. The expansion’s logical conclusion is either the actual genocide of the peoples of the South—as “overpopulation”—or, at the least, their confinement to ever-increasing poverty. An eco-fascist strand of thought is being developed which gives legitimacy to this kind of “final solution” to the problem.39 A New System of Social Metabolic Reproduction A revolutionary process of socialist construction aimed at building a new system of social reproduction in conformity with the demands of necessity and freedom cannot occur without an overall “orienting principle” and “measure of achievement” as part of a long-term strategy. It is here, following Mészáros, that the notion of substantive equality or a society of equals, also entailing substantive democracy, comes into play in today’s struggles.40 Such an approach not only stands opposed to capital at its barbaric heart but also opposes any ultimately futile endeavor to stop halfway in the transition to socialism. Immanuel Kant spelled out the dominant liberal view shortly after the French Revolution when he stated that “the general equality of men as subjects in a state coexists quite readily with the greatest inequality in degrees of the possessions men have.… Hence, the general equality of men coexists with great inequality of specific rights of which there may be many.”41 In this way, equality came to be merely formal, existing merely “on paper” as Engels pointed out, not only with respect to the labor contract between capitalist and worker but also in relation to the marriage contract between men and women.42 Such a society establishes, as Marx demonstrated, a “right of inequality, in its content, like every right.”43 The idea of substantive equality, consistent with Marx’s notion of communism, challenges all of this. It demands a change in the constitutive cells of society, which can no longer consist of possessive individualists, or individual capitals, reinforced by a hierarchical state, but must be based on the associated producers and a communal state. Genuine planning and genuine democracy can only start through the constitution of power from the bottom of society. It is only in this way that revolutions become irreversible. It was the explicit recognition of the challenge and burden of twenty-first-century socialism in these terms that represented the extraordinary threat to the prevailing order constituted by the Venezuelan Revolution led by Hugo Chávez. The Bolivarian Republic challenged capitalism from within through the creation of communal power and popular protagonism, generating a notion of revolution as the creation of an organic society, or a new social metabolic order. Chávez, building on the analyses of Marx and Mészáros, mediated by Lebowitz, introduced the notion of “the elementary triangle of socialism,” or (1) social ownership, (2) social production organized by workers, and (3) satisfaction of communal needs.44 Underlying this was a struggle for substantive equality, abolishing the inequalities of the color line and the gender line, the imperial line, and other lines of oppression, as the essential basis for eliminating the society of unequals. In “Communism as an Ideal,” Sweezy emphasized the new forms of labor that would necessarily come into being in a society that used abundant human productivity more rationally. Many categories of work, he indicated, would “be eliminated altogether (e.g. coalmining and domestic service), and insofar as possible all jobs must become interesting and creative as only a few are today.” The reduction of the enormous waste and destruction inherent in capitalist production and consumption would open up space for the employment of disposable time in more creative ways. In a society of equals—one in which everyone stands in the same relation to the means of production and has the same obligation to work and serve the common welfare—all “needs” that emphasize the superiority of the few and involve the subservience of the many will simply disappear and will be replaced by the needs of liberated human beings living together in mutual respect and cooperation.… Society and the human beings who compose it constitute a dialectical whole: neither can change without changing the other. And communism as an ideal comprises a new society and a new [human being].45 More than simply an ideal, such an organizing principle in which substantive equality and substantive democracy are foremost in the conception of socialism/communism is essential not only to create a socialist path to a better future but as a necessary defense of the global population confronted with the question of survival. Dystopian books and novels notwithstanding, it is impossible to imagine the level of environmental catastrophe that will face the world’s peoples, especially those at the bottom of the imperialist hierarchy, if capitalism’s creative destruction of the metabolism of humanity and the earth is not stopped mid–century. According to a 2020 article on “The Future of the Human Climate Niche” in the Proceedings of the National Academy of Sciences, based on existing trends, 3.5 billion people are projected to be living in unlivable heat outside the human climate niche by 2070, under conditions comparable to those of the Sahara desert.46 Even such projections fail to capture the enormous level of destruction that will fall on the majority of humanity under capitalist business as usual. The only answer is to leave the burning house and to build another now.47

The International of Workers and Peoples

Although untold numbers of people are engaged in innumerable struggles against the capitalist juggernaut in their specific localities all around the world, struggles for substantive equality, including battles over race, gender, and class, depend on the fight against imperialism at the global level. Hence, there is a need for a new global organization of workers based on the model of Marx’s First International.48 Such an International for the twenty-first century cannot simply consist of a group of elite intellectuals from the North engaged in World Social Forum-like discussion activities or in the promotion of social-democratic regulatory reforms as in the so-called Socialist and Progressive Internationals. Rather, it needs to be constituted as a workers-based and peoples-based organization, rooted from the beginning in a strong South-South alliance so as to place the struggle against imperialism at the center of the socialist revolt against capitalism, as contemplated by figures such as Chávez and Amin.

In 2011, just prior to his final illness, Chávez was preparing, following his next election, to launch what was to be called the New International (pointedly not a Fifth International) focusing on a South-South alliance and giving a global significance to socialism in the twenty-first century. This would have extended the Bolivarian Alliance for Peoples of Our America to a global level.49 This, however, never saw the light of day due to Chávez’s rapid decline and untimely death.

Meanwhile, a separate conception grew out of the efforts of Amin, working with the World Forum for Alternatives. Amin had long contemplated a Fifth International, an idea he was still presenting as late as May 2018. But in July 2018, only a month before his death, this had been transformed into what he called an Internationale of Workers and Peoples, explicitly recognizing that a pure worker-based International that did not take into account the situation of peoples was inadequate in confronting imperialism.50 This, he stated, would be an organization, not just a movement. It would be aimed at the

alliance of all working peoples of the world and not only those qualified as representatives of the proletariat…including all wage earners of the services, peasants, farmers, and the peoples oppressed by modern capitalism. The construction must also be based on the recognition and respect of diversity, whether of parties, trade unions, or other popular organizations of struggle, guaranteeing their real independence.… In the absence of [such revolutionary] progress the world would continue to be ruled by chaos, barbarian practices, and the destruction of the earth.51

The creation of a New International cannot of course occur in a vacuum but needs to be articulated within and as a product of the building of unified mass organizations expanding at the grassroots level in conjunction with revolutionary movements and delinkings from the capitalist system all over the world. It could not occur, in Amin’s view, without new initiatives from the Global South to create broad alliances, as in the initial organized struggles associated with the Third World movement launched at the Bandung Conference in 1955, and the struggle for a New International Economic Order.52 These three elements—grassroots movements, delinking, and cross-country/cross-continent alliances—are all crucial in his conception of the anti-imperialist struggle. Today this needs to be united with the global ecological movement.

Such a universal struggle against capitalism and imperialism, Amin insisted, must be characterized by audacity and more audacity, breaking with the coordinates of the system at every point, and finding its ideal path in the principle of from each according to one’s ability, to each according to one’s need, as the very definition of human community. Today we live in a time of the perfect coincidence of the struggles for freedom and necessity, leading to a renewed struggle for freedom as necessity. The choice before us is unavoidable: ruin or revolution.

#### That requires embracing an episteme of alternativity. Academic spaces must prioritize rejecting colonial scholarship, otherwise it will be used to justify colonial policies. Calls for “policy relevance” make debate an academic space that can only assist empire building. Instead, we have an ethical obligation to actively counter the prevailing order.

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Looking forward: academic and practitioner pushback against colonialism, and cautionary tales

Given the historical and ongoing mutual complicity between knowledge producers and policy-makers in upholding imperial and racial orders, we now consider the responsibilities, possibilities and challenges faced in altering the nature of that nexus. Doing so requires turning to what Danso and Aning call an ‘episteme of alternativity’;41 and the primary way for academics to enact this would be to draw on anti-colonial practice and legacies, rather than imperial competition, as the foundation of their theorizing.

Thus, in his article, Sizwe Mpofu-Walsh forefronts global South policy-makers and focuses on the nuclear order (a topic that is typically associated with realist IR) to demonstrate how it can be approached through an alternative, critical epistemology.42 Disrupting the ‘Great Power gaze’, Mpofu-Walsh asks what the politics of non-proliferation looks like from the perspective of the global South, especially the African continent as the sole nuclear weapon-free zone (NWFZ). There, denuclearization is fundamentally linked to decolonization. Thus anti-colonial goals, rather than hegemonic/imperialist competition, are at the root of both policy and theorizing. How different would IR knowledge and theories on nuclear weapons be if African praxis and the importance of NWFZs were taken seriously? Turning to the Middle East, Gani similarly argues in her article that the inclusion of non-western history and voices—from policy-makers to activists and scholars—in think-tank discussions can mitigate the latent colonialism that shapes western policy.43

Nevertheless, even with an incorporation of non-western practice and knowledge in policy making and scholarly theorizing, multiple perspectives that are marginalized even in the local context, owing to class or gender, may continue to go unheard.44 One crucial way in which both academics and practitioners can challenge such patterns is by adopting a more expansive reading of what constitutes ‘knowledge’ and indeed ‘practice’. In doing so, we can dismantle some of the constructed and false hierarchies between elite ‘knowledge’ and ‘research’ on one hand, and local ‘tradition’ on the other.45 The former is assumed to be objective, reliable and associated with western (and western-validated) universities; while the latter is viewed as subjective, unscientific and commonly associated with Indigenous, racialized, grassroots communities. Assumptions about who counts as a true knowledge producer or ‘expert’ is not only elitist but heavily racialized and gendered. Definitions of who counts as a ‘practitioner’ are equally narrow, so that scholars or policy-makers may place much weight on the views and actions of state, global governance and corporate practitioners, but do not view as equal practitioners those involved in everyday practice in their communities—those who in fact sustain their ecology, livelihoods, security and identities, all while having to navigate the impact of top-down policies.46

Both the articles by Jan Wilkens and Alvine Datchoua-Tirvaudey on climate justice, and by Althea Rivas and Mariam Safi on the organizing and practices of Afghan women, share knowledge from non-elite local communities and challenge the above binaries and hierarchies. In their article on climate justice in the Arctic and the Mediterranean, Wilkens and Datchoua-Tirvaudey explain that academic–practitioner knowledge exchange has often been a contributing factor in continued climate injustice.47 The existing patterns of this knowledge exchange on climate governance are dependent on hierarchies of knowledge, namely, the valorization of western/‘scientific’ knowledge production at the expense of the needs and knowledges of the Indigenous and local communities most affected by climate change (i.e. the community-based practitioners, rather than the institutional/state ones). Moreover, the spaces where such knowledge exchange takes place are often exclusionary (in who is invited, in the parameters of discourse and/or in the extortionate costs of participating), producing an intra-elite debate.48 Having identified these racialized patterns, they offer a corrective decolonial strategy for ethical climate governance, founded on practice-based knowledge and diverse ways of knowing that bring in those excluded insights.

The article by Rivas and Safi also provides an example of how the academic–practitioner nexus can be ‘decolonized’, one in which everyday knowledges of Afghan women, in all their diversity and complexity, are centred in peacebuilding efforts.49 Their article, co-written by an academic and a local practitioner, offers a methodology of how to take into account the internal hierarchies of positionality, interests and knowledges that are always present when engaging with grassroots communities for the sake of ‘research’. Rivas and Safi also demonstrate the importance of registering and valuing the unlooked-for, atypical knowledges from below, such as the subtle observations offered by Afghan women in rural areas that, contrary to wider assumptions, reflect their political engagement and interest.

Caution against extractivism in the search for such local knowledge exchange is at the forefront of both the above contributions.50 Thus academics should remain reflexive in what the purpose of their research is, and who really benefits. Moreover, a praxis of decolonizing such research necessarily entails taking time in a way that is at odds with the current culture of speedy and multitudinous productivity in academia: the rapid churning out of articles from ‘the field’ should raise appropriate questions about how, why and for whom that research is being conducted.

Of course, at issue is not just whom but also what we consider as worthy of scholarly and policy attention, and how inclusive we are of alternative methodologies. Dependence on state and official archives, ‘canonical’ theorists, written records and English-language sources all reproduce the racialized hierarchies inherent in the prioritization of certain types of knowledge and transmission.51 These factors also close the door on appreciating the power—both practical and ideational—generated by collective social action, whose impact cannot (and should not) be individualized to one or a few visible and often romanticized protagonists. Recognizing all this and reading into the silences of the archives should encourage greater attention to non-hegemonic record-keeping, story-telling and witnessing beyond elitist and prohibitive barriers—from oral histories, to poetry, art and independent publishing on paper and online. As anti-colonial and anti-racist thinkers and activists have long argued, these are the ways in which those who are dispossessed and marginalized, but also, consequently, autonomous, have kept their identities, cultures and memories alive, and sought to prevent their experiences from being suppressed and erased.52 In the face of systematic racism and the colonial dismantling of their histories, those who are marginalized are not, in fact, silent but continue to cultivate and share knowledge, even if they may lack the resources and type of support received by hegemonic knowledges (and people).53 Recognizing the equal validity of marginalized forms of knowledges in both academic and policy realms pushes back against the de-representation in knowledge exchanges within elite spaces and formats.

However, it would be erroneous to assume from these arguments that knowledge produced by so-called elite communities is always bad, and that knowledge or cultural production from the bottom up is always more authentic and supports the cause of justice. Srdjan Vucetic's article unsettles multiple binaries, between the elite and the ‘masses’, as well as between academics and practitioners.54 Drawing on the work of Stuart Hall, he complicates what we read as knowledge production and who we see as its progenitors, challenging the notion of purely top-down (and imperialist) identity construction. Exploring the role (and popularity) of nationalistic films and novels as signifiers of this consensus between policy-makers and wider society, Vucetic demonstrates that it is not enough to hold accountable only those deemed to possess political capital, be they policy-makers or academics. Rather, it is necessary also to challenge the broader pressures and expectations of the public that produce a collusion between elite and mass discourse, and help to foreclose the adoption of more critical, justice-oriented policies. Thus, if we focus solely on academics and practitioners in any anti-racist work, we miss the uncomfortable reality that narrow, exclusionary nationalism that foments such racism and imperialist foreign policies actually enjoys substantial ‘buy-in’ from people and may be an accepted part of a local (in this case British) identity.

This observation reinforces the need outlined above for a more expansive approach to defining knowledges, but this time when interrogating the generators of coloniality. This in turn allows us to bring into equal focus other facilitating institutions and mediums of knowledge dissemination, many of which play a pivotal role in making colonial tropes and erasures more palatable, accessible, even culturally and economically valuable. This theme runs through several of the articles in this special issue. As noted above, Vucetic's article focuses on cultural output; Antweiler looks at museums and schools; Baji considers the instrumentalization of local folklore for imperialist ideologies in Japan; Plonski and Manchanda examine the power of racial capitalism via Israel's surveillance industry and marketing; and Gani scrutinizes the impact of journalistic discourse and think tanks.

Thus far, a lot of responsibility for challenging the racial and colonial dynamics of the academic–practitioner nexus has been placed with knowledge producers, whether within or outside academia. But it is necessary to emphasize that efforts have already been under way, not only to ‘decolonize’ our academic disciplines, but to bring that discourse into the public realm. At that point practitioners need to carry their share of responsibility in listening to and applying the expertise (whether academic or community-based) that can foster more just policies. Instead, the attention policy-makers give to expertise is often selective and politicized, based not on what can actually improve people's lives but on what helps to justify the existing approaches adopted by governments. The current denigration and growing securitization of critical race theory, especially in the United States but increasingly elsewhere, is an example of attacks on emancipatory knowledges that challenge power and oppression. Offering another stark example of this, Amal Abu-Bakare explores in her article the lack of any serious attempts to confront Islamophobia in society, despite the wealth of research and expert advice from scholars and community-based practitioners available to policy-makers.55 Focusing on the cases of the UK and Canada, she highlights the way in which practitioner intervention, in this case that of security and police officials, has actively prevented the adoption of expert guidelines on tackling Islamophobia on the grounds that they might interfere with their counterterrorism strategies. In many ways this is a blatant acknowledgement from policy-makers that their counterterrorism strategy is inherently built upon racial tropes and discrimination. In contrast, so-called ‘neutral’ research on terrorism and/or counterterrorism is embraced by practitioners, precisely because such research might not ask uncomfortable questions about the racial foundations or assumptions that are necessary to enact their policies.

Abu-Bakare's article offers an example of the limitations of academic–practitioner knowledge exchange. Exhorting scholars to make their research policy relevant does not address the unequal receptivity towards critical research that may challenge policy. Nor does it sufficiently take into account the implicit disciplining that can take place in that process of knowledge exchange. Those very spaces or channels that are created to facilitate sharing, listening and negotiation between knowledge producers and practitioners (through all the blurred boundaries between them) may reproduce and reify hierarchies through unequal interactions. Is real dialogue possible if power dynamics render the interlocutors unequal?56 Or, in their efforts to be heard, taken seriously, and make their presence worthwhile, academics and other knowledge producers may find themselves being subtly socialized into the very modes of speech and thought that they sought to criticize. This can also happen in reverse when grassroots practitioners share spaces with scholars and elite institutions. The path-breaking and radical ideas needed to initiate change on some of the most deep-seated problems in politics and society may be diluted in such spaces for the sake of pragmatism and communication, undermining the ability to imagine real alternatives to the status quo. This is not to say that knowledge producers, whether academic or community-based, should not engage with policy-makers, but rather that they should be clear in what they seek to achieve—if, for example, constructive dialogue or receptivity to expertise is unlikely, it is at times necessary and an ethical responsibility simply to register alternative ideas or contestation. Returning to the point made at the start of this piece, this cautions us in how we champion ‘impact’ and knowledge–policy engagement, especially if we only recognize engagements that supplement and are ‘useful’ to systems of power rather than those that hold them to account.

Conclusion

This special issue introduces the readers of International Affairs to the relatively undertheorized and underhistoricized relationship between race, knowledge production and policy-making. The articles demonstrate the ways in which practitioners have historically relied on research produced within the academy to inform policy, initiating the establishment of departments and disciplines for this purpose, but they also show the reverse to be equally true: that policy, both foreign and multilateral, influences the possibilities and parameters of research, funding and recruitment practices, and retention of jobs.57 A key goal of this special issue has been to foster reflection on the ways in which knowledge production (in its multifaceted forms) contributes to or challenges the practice of racism and coloniality; and the ways in which policy and practice shape, validate, limit or ignore knowledge production—in ways that either perpetuate or interrogate coloniality. As the three categories delineated above show, the academic–practitioner nexus is best captured as a series of foreclosures that actively work to uphold narrowly espoused evolutionary myths of the discipline and entrench a naturalization of white-racialized subject positions in academic discourse on the ‘international’, while sidelining scholars and activists, notably women and people of colour, who have made undeniable contributions to analysis of the contemporary world.58 All this brings into view, as one scholar puts it, ‘the fundamental ways in which IR already is, and always has been, complicit in ordering politics’.59

As we have argued in this introductory piece, the exposure in this special issue of the deep academic–practitioner nexus confronts and challenges the ‘gaps’ discourse advanced at the expense of making visible the existing reciprocity that disciplines the boundaries of acceptable enquiry. The outcome of this disciplining at the theoretical level can be seen in the construction of paradigms that normalize Eurocentric presuppositions on ‘how the world is’. But such outcomes are also made manifest through material implications generated by narrow policy responses and policy instruments.

The special issue is not just an exposure, though; it is also a call for repair. To embark on a project of repair, those involved in knowledge production, dissemination and application—within academia, think tanks, museums, schools, cultural production and policy—first and foremost need to recognize that their work is not detached from the real world, even if they seek to make it so. If the articles in this special issue have shown anything, it is that there can be no realistic and honest demarcation between political and apolitical knowledge: to assert neutrality is like offering a blank slate that will inevitably be written over. It is worth knowing that even with the best intentions, a scholar's work is likely to be co-opted for political ends; and that one's erasures and blind spots regarding injustice, even if innocently produced, will be taken as justification for inaction and marginalization of these injustices in the real world.

Sincerity in seeking to prevent racist or imperialist co-optation necessitates more open interrogations of power and commitments to justice: and without doubt IR, whether ‘analytical’ or ‘critical’, and academia more broadly, are filled with sincere and honourable scholars who care about the world they live in and have the capacity to enact positive change. Questioning and challenging accepted and expected modes of academic enquiry requires courage and creativity, both of which are aided through collective effort. This special issue, then, is an invitation to adopt that courage and creativity in how we cultivate knowledge, in questioning the purpose and the ends of that knowledge, and to be discerning in how we try to put it into practice.

## ADV---Blockchain

### 1NC---No Blockchain Impact

#### No blockchain impact

Paul Krugman 21, Distinguished Professor at the City University of New York Graduate Center, won the 2008 Nobel Memorial Prize in Economic Sciences, 5/20/21, “Technobabble, Libertarian Derp and Bitcoin,”

A number of readers have asked me to weigh in on Bitcoin and other cryptocurrencies, whose fluctuations have dominated a lot of market news. Would I please comment on what it’s all about, and what’s going on?

Well, I can tell you what it’s about. What’s going on is harder to explain.

The story so far: Bitcoin, the first and biggest cryptocurrency, was introduced in 2009. It uses an encryption key, similar to those used in hard-to-break codes — hence the “crypto” — to establish chains of ownership in tokens that entitle their current holders to … well, ownership of those tokens. And nowadays we use Bitcoin to buy houses and cars, pay our bills, make business investments, and more.

Oh, wait. We don’t do any of those things. Twelve years on, cryptocurrencies play almost no role in normal economic activity. Almost the only time we hear about them being used as a means of payment — as opposed to speculative trading — is in association with illegal activity, like money laundering or the Bitcoin ransom Colonial Pipeline paid to hackers who shut it down.

Twelve years is an eon in information technology time. Venmo, which I can use to share restaurant bills, buy fresh fruit at sidewalk kiosks, and much more, was also introduced in 2009. Apple unveiled its first-generation iPad in 2010. Zoom came into use in 2012. By the time a technology gets as old as cryptocurrency, we expect it either to have become part of the fabric of everyday life or to have been given up as a nonstarter.

If normal, law-abiding people don’t use cryptocurrency, it’s not for lack of effort on the part of crypto boosters. Many highly paid person-hours have been spent trying to find the killer app, the thing that will finally get the masses using Bitcoin, Ethereum or some other brand daily.

But I’ve been in numerous meetings with enthusiasts for cryptocurrency and/or blockchain, the concept that underlies it. In such meetings I and others always ask, as politely as we can: “What problem does this technology solve? What does it do that other, much cheaper and easier-to-use technologies can’t do just as well or better?” I still haven’t heard a clear answer.

Yet investors continue to pay huge sums for digital tokens. The values of major cryptocurrencies fluctuate wildly — Bitcoin fell 30 percent Wednesday morning, then made up most of the losses that afternoon. Their collective value has, however, at times exceeded $2 trillion, more than half the value of all the intellectual property owned by U.S. business.

Why are people willing to pay large sums for assets that don’t seem to do anything? The answer, obviously, is that the prices of these assets keep going up, so that early investors made a lot of money, and their success keeps drawing in new investors.

This may sound to you like a speculative bubble, or maybe a Ponzi scheme — and speculative bubbles are, in effect, natural Ponzi schemes. But could a Ponzi scheme really go on for this long? Actually, yes: Bernie Madoff ran his scam for almost two decades, and might have gone even longer if the financial crisis hadn’t intervened.

Now, a long-running Ponzi scheme requires a narrative — and the narrative is where crypto really excels.

First, crypto boosters are very good at technobabble — using arcane terminology to convince themselves and others that they’re offering a revolutionary new technology, even though blockchain is actually pretty elderly by infotech standards and has yet to find any compelling uses.

Second, there’s a strong element of libertarian derp — assertions that fiat currencies, government-issued money without any tangible backing, will collapse any day now. True, Britain, whose currency was still standing last time I looked, went off the gold standard 90 years ago. But who’s counting?

Given all this, are cryptocurrencies headed for a crash sometime soon? Not necessarily. One fact that gives even crypto skeptics like me pause is the durability of gold as a highly valued asset. Gold, after all, suffers from pretty much the same problems as Bitcoin. People may think of it as money, but it lacks any attributes of a useful currency: You can’t actually use it to make transactions — try buying a new car with gold ingots — and its purchasing power has been extremely unstable.

So when John Maynard Keynes called the gold standard a “barbarous relic” way back in 1924, he wasn’t wrong. But the metal’s mystique, and its valuation, live on. It’s conceivable that one or two cryptocurrencies will somehow achieve similar longevity.

Or maybe not. For one thing, governments are well aware that cryptocurrencies are being used by bad actors, and may well crack down in a way they never did on gold trading. Also, the proliferation of cryptocurrencies may prevent any one of them from achieving the semi-sacred status gold holds in some people’s minds.

The good news is that none of this matters very much. Because Bitcoin and its relatives haven’t managed to achieve any meaningful economic role, what happens to their value is basically irrelevant to those of us not playing the crypto game.

### 1NC---AT: IoT

#### Blockchain IoT fails

Saima Zafar 21, Associate Professor, Department of Electrical Engineering, National University of Computer and Emerging Sciences, Lahore Pakistan, et al., 5/31/21, “Integration of blockchain and Internet of Things: challenges and solutions,” Annals of Telecommunications, https://doi.org /10.1007/s12243-021-00858-8

(5) Transaction speed performance: Most of the IoT use cases have a requirement to process about 1000 or above data transactions per second on average. Yet, if we consider the bitcoin blockchain, it provides only 7 transactions per second. Clearly, a huge gap exists between the IoT transaction processing mechanism and the bitcoin blockchain. An important future research challenge is to minimize this gap by scaling up the transaction processing performance of decentralized blockchain.

(6) Blockchain protocol redesign: Our research on blockchain and IoT integration challenges has directed us to the stance that blockchain fundamental protocol redesign is needed in terms of network broadcasting mechanism, storage, data accessing mechanism, and security mechanism, while keeping blockchain’s decentralized nature.

(7) Blockchain re-parameterization: Keeping in mind the present scalability bottlenecks of the blockchain, it is important to consider that to what extent the blockchain core parameters re-designing can be worked without effecting and sacrificing security provided by the blockchain.

#### IoT doesn’t protect bees

Megan Schilling 21, writer for Successful Farming, 3/24/21, “CAN TECH SOLVE THE BEE PROBLEM?,” https://www.agriculture.com/crops/conservation/can-tech-solve-the-bee-problem

Internet of Things (IoT) companies providing solutions to the ag industry face challenges to deploy their technology. The lack of network coverage across rural, remote areas, and over hundreds of miles of farmland is a significant obstacle for BeeHero to collect and process the data they need. To combat this, BeeHero works with Soracom, a cellular connectivity provider that specializes in IoT and provides coverage across multiple networks and bands.

The constantly changing environments and fleeting windows of opportunity make IoT even more difficult to manage. “Developers have to be running quickly and sometimes they don’t have the time, especially if field testing might be dependent upon a growing season,” says Kenta Yasukawa, cofounder and CTO of Soracom. “If you miss that window, you’re down for a year.”

#### The internet of things enables the quantification of social relations and ushers in a new era of colonialism

Couldry and Mejias, 2019

(Nick – professor of Media, Communications and Social Theory @ London School of Economics & Political Science, Ulises A. – professor of Communication Studies @ State University of New York, Oswego, “Making data colonialism liveable: how might data’s social order be regulated?,” Internet Policy Review 8.2, 2019, https://policyreview.info/articles/analysis/making-data-colonialism-liveable-how-might-datas-social-order-be-regulated)

A new order is being constructed through the continuous extraction of data from our social lives. This new order, optimised for the creation of economic value, may well become the social order on which the next phase of capitalism depends for its viability. As part of that emerging order, calls for the regulation of data processing have intensified in the past two years, unsurprisingly perhaps given that capitalism has shown that it needs to be regulated if it is to be made liveable (Polanyi, 2001). But this push for regulation has been framed entirely in terms of taming certain rogue forms of contemporary capitalism. This article argues, however, that to frame data issues solely in terms of a “bad” form of capitalism misses the full scope, scale and nature of what is happening with data. Legal, social and civic responses to what is underway need to be grounded in a broader argument about what we will call “data colonialism”. There is no doubt of course that what is happening with data today is inextricably linked to the development of capitalism. But is something even larger going on? We argue here that today’s quantification of the social—also known as datafication (Mayer-Schönberger and Cukier, 2013; Van Dijck, 2014)—represents the first step in a new form of colonialism. This emerging order has long-term consequences that may be as far-reaching as were the appropriations carried out by historic colonialism for the benefit of the capitalist economies and international legal order that subsequently developed. Recognising what is happening with data as a colonial move means acknowledging the full scope of the resource appropriation under way today through datafication: it is human life itself that is being appropriated so that it can be annexed directly to capital as part of a reconstruction of the very spaces of social experience. In arguing this, we share some common ground with Shoshana Zuboff’s well-known argument on “surveillance capitalism”, but there are also crucial differences, which we briefly summarise in three points here (and further unpack later). [1](https://policyreview.info/articles/analysis/making-data-colonialism-liveable-how-might-datas-social-order-be-regulated#footnote1_suwb96m) First, the transformation of what can be considered an input to capital actually goes well beyond what has been observed in the social media sector to include, for example, the rise of logistics, the new methods of control in the workplace, the emergence of platforms as new structures for profit extraction (for instance, in transportation and tourism), and most generally the reformulation of capitalism’s default business model around the extraction and management of data (Davenport, 2014). [2](https://policyreview.info/articles/analysis/making-data-colonialism-liveable-how-might-datas-social-order-be-regulated#footnote2_tm04pnm) What is going on with data, in other words, is much wider than a problem with a limited number of rogue surveillance capitalists who have gone astray, a problem that can be corrected by their reform. There is only one historic precedent for such a shift in the resources available for economic exploitation, and that is the emergence of colonialism in the late 15th and early 16th centuries. [3](https://policyreview.info/articles/analysis/making-data-colonialism-liveable-how-might-datas-social-order-be-regulated#footnote3_gk9kjph) Second, rethinking data processes on this longer 500-year time-scale allows us to see their implications for capitalism’s future in a broader way, too. Here we must recall that industrial capitalism itself was only made possible by the profits and socioeconomic reconfigurations that came with historic colonialism. Third, a colonial framing highlights two central aspects of today’s transformations that would otherwise seem like mere collateral: the subjugation of human beings that is necessary to a resource appropriation on this scale (relations of subjection to external powers were central to historic colonialism), and the grounding of this entire transformation in a general rationality which imposes upon the world a very singular vision of Big Data’s superior claim on knowledge (just as colonisers justified their appropriation on the ground of the West’s superior rationality). Our argument will consider the long-term historical relations between capitalism and colonialism in the first part of this article, and in the second part offer a discussion—informed by decolonial theory—of Carl Schmitt’s classic interpretation of historic colonialism’s relation to international law. We hope to give more substance to general calls to recognise the fight against “dataism” (Van Dijck, 2014) as “the most urgent political and economic project” of the 21st century (Harari, 2016, p. 459). This article, written from the intersection of social theory, decolonial theory, and critical data studies rather than policy studies, will hopefully be useful to those who wish to develop a more robust starting-point for critical work on data policy. A DECOLONIAL READING OF DATAFICATION In this first section, we summarise our arguments for analysing contemporary practices of data extraction and data processing as replicating colonial modes of exploitation (see Couldry and Mejias, 2018; Couldry and Mejias, 2019). This will allow us to provide the starting-point for our policy-related discussion later on. The public is often told that "data is the new oil" (Economist, 2017). A recent article in the Harvard Business Review goes further and argues not only that “data is the fuel of the new economy, and even more so of the economy to come,” but also that: Algorithms trained by all these digital traces will be globally transformational. It’s possible that new world order will emerge from it, along with a new “GDP” – gross data product – that captures an emerging measure of wealth and power of nations (Chakravorti, Bhalli and Chaturvedi, 2019). While the evocative idea of “new oil” might recall the benefits (for some) of historic colonialism, it obscures precisely the most important level at which data colonialism must be empirically studied. The most fundamental fact about data is that it is not like oil, but rather a social construct operating at a specific moment in history (Gitelman, 2014; Scholz, 2018), driven by much wider economic and social forces. The concept of data colonialism, therefore, highlights the reconfiguration of human life around the maximisation of data collection for profit. Without the resulting data flow, there would be no substance related to human life that could, even potentially, be called “oil”. The claim that data is like oil is thus an attempt to naturalise the outcome of data’s collection, and so make data extraction (and the categories it embeds in daily life) part of a social landscape whose contestability is hidden from view (Bowker and Star, 1999). Since regulating data depends, fundamentally, on opening up that contestability, it is essential to understand how the naturalisation of data collection occurs. To do this, we draw on critical political economy and decolonial theory to trace continuities from colonialism’s historic appropriation of territories and natural resources to the datafication of everyday life today. While the modes, intensities, scales and contexts of dispossession have changed, the underlying drive of today’s data processes remains the same: to acquire “territory” and resources from which economic value can be extracted. To do so in no way diverts us from an analysis of capitalism. On the contrary, it places datafication squarely within the centuries-long relations between colonialism and capitalism, whose separation is now widely contested (Williams, 1994; Beckert and Rockman, 2016). Far from being disconnected from capitalism, the current phase of colonialism (data colonialism) is understood as preparing the way for a new, still undefined stage of capitalism, just as historic colonialism paved the way gradually for industrial capitalism. The medium for this long-term transformation are the interdependencies and rationalities through which social relations, conducted and organised via processes of data extraction, become a normal part of everyday life. We therefore use the term “colonialism” not as a metaphor, [4](https://policyreview.info/articles/analysis/making-data-colonialism-liveable-how-might-datas-social-order-be-regulated#footnote4_s1tigoo) but to name an actual reality. In this non-metaphorical usage, however, our focus is on colonialism’s longer-term historical function: the dispossession of resources and the normalisation of that dispossession so as to generate a new fuel for capitalism’s global growth. Distinctive to data colonialism are the subjection of human beings to new types of relations configured around the extraction of data, and, even more broadly, the imposition on human life of a new vision of knowledge and rationality tailored to data extraction (the vision of Big Data). Each generates fundamental questions, in turn, about legal values such as freedom and autonomy, and challenges for existing systems of commercial regulation (we return to those challenges in the next section). Underlying our argument are two forms of analysis: an analysis of the political economy of the data industry, or what we call the social quantification sector; and an analysis of the multimodal forms of exploitation that unfold through our participation in digital platforms and data-processing infrastructures, or what we call data relations. These two terms deserve more explanation. The social quantification sector can be broken down into various sub-groups, starting with the manufacturers of digital devices and personal assistants: well-known media brands such as Amazon, Apple, Microsoft and Samsung, and less well-known makers of devices operating in the fast-expanding ‘Internet of Things’. Another group in the social quantification sector includes the builders of the computer-based environments and tools by means of which we connect: household names such as Alibaba, Baidu, Facebook, Google, TenCent and WeChat. Yet another group comprises the growing field of data brokers and data processing organisations such as Acxiom, Equifax, and (in China) TalkingData that collect, aggregate, process, repackage, sell and make decisions based on data of all sorts, while also supporting other organisations in their uses of data. In addition, the social quantification sector also includes the vast domain of organisations that increasingly depend for their basic functions on processing data from social life, whether to customise their services (like Netflix and Spotify), to link sellers and buyers (like Airbnb, Uber, and Didi), or to exploit data in areas of government or security, such as Palantir and Axon (formerly Taser). Finally, analytical consideration of the social impact of the social quantification sector needs to take into account the vast areas of economic life where internal data collection has become normalised as corporations’ basic mode of operation, for example in logistics (Cowan, 2014). Corporations such as IBM are key supporters of this wider infrastructure of business data collection (Davenport, 2014), even though they are not associated with either social media platforms or specialised data brokerage. By data relations we do not mean relations between data, but the new types of human/institutional relations through which data becomes extractable and available for conversion into economic value. When fully established in daily life, data relations will become as naturalised as labour relations, and together comprise a second pillar of the social order on which capitalism is based. [5](https://policyreview.info/articles/analysis/making-data-colonialism-liveable-how-might-datas-social-order-be-regulated#footnote5_fj3s8jb) This transformation—we propose—goes much further even than the shaping of social relations around the extraction of “surveillance capital” that Zuboff describes. Under data colonialism, human life becomes, as it were, present to capital without obstruction, although this “presence” is based on many levels of technosocial mediation. Data relations give corporations a privileged “window” onto the world of social relations, and a privileged “handle” on the levers of social differentiation. More generally, human life itself, including its relations to technology, becomes a direct input to capital and potentially exploitable for profit. Data relations make the social world readable to and manageable by corporations in ways that allow not just the optimisation of profit, but also new models of social governance, what legal scholars Niva Elkin-Koren and Eldar Haber (2016) call “governance by proxy”. In this context, digital spaces for social life and economic transactions called “platforms” (Gillespie, 2010; compare Bucher, 2016; Gerlitz and Helmond, 2013) have significance beyond their convenience for individuals and corporations. Platforms become software-constructed spaces that produce the social for capital. Social life is thereby transformed into an open resource for extraction that is somehow “just there” for exploitation. For sure, capitalism has always sought to commodify everything and control all inputs to its production process. But how “everything” is defined at specific historical moments varies. What is unique about this historical moment is that human life is becoming organised through data relations so that it can be a direct input to capital. This transformation depends on many things: shifts in daily habits and conventions, software architectures that shape human life through, as Lessig famously argued, “code” (Lessig, 2001), and explicit legal frameworks that legitimate, sanction and regulate such arrangements. In this article, we focus on the last, but including the underlying legal rationalities that, as Julie Cohen (2017) argues, work to frame data as owner-less, redefining notions of privacy and property in order to establish a new moral order that justifies the appropriation of data. To summarise the argument so far: humanity is currently undergoing a large-scale transformation of a social, economic and legal order, based on the massively expanded appropriation by capital of human life itself through the medium of data extraction. The long-term sustainability of this transformation depends, however, on the regulation or harmonising of various factors: the weight of habit and convenience in daily life; various social pressures on consumers, producers and workers towards datafication, which amount to something like a life force (Grewal, 2008); and, crucially, an emerging legal infrastructure. As a result, larger questions arise as to how to regulate this transformation and its emerging institutions. The answers depend on what approach we take to the question of what sort of transformation this is. We have argued, in condensed form, that this transformation can only be fully understood bifocally, that is, through the double lens of capitalism and colonialism. In the second part of the article, we extend this discussion into a brief review of current approaches to regulating personal data processing, and their limitations.

### 1NC---AT: Global Collaboration

#### Blockchain’s only relevant for nuclear arms control if the chains are private and controlled by states---opposite of the chains the plan promotes

Michal Onderco 21, Associate Professor of International Relations in the Department of Public Administration and Sociology at Erasmus University Rotterdam; and Madeline Zutt, research associate at Erasmus University Rotterdam, 2021, “Emerging technology and nuclear security: What does the wisdom of the crowd tell us?,” Contemporary Security Policy, 42(3), pp. 286-311

Our third finding focuses on whether emerging technologies could enhance or impede nuclear disarmament efforts. Some work has already exposed how new technologies have the potential to strengthen nuclear disarmament and verification measures. A prototype “SLAFKA” was recently jointly developed by a nuclear regulator in Finland (STUK), the University of New South Wales in Australia, and the Stimson Center in the United States which tests whether a distributed ledger technology (DLT) can effectively safeguard nuclear material (Stimson Center, 2020). A DLT platform is “a system of electronic records that enables independent entities to establish consensus around a “ledger”—without relying on a central coordinator to provide the authoritative version of the records” (Rauchs et al., 2018, p. 23). Blockchain is the most well-known type of distributed ledger. Importantly, blockchain is structured in such a way that all who participate in the shared ledger must agree upon a set of records or data, and this data cannot be changed or tampered with by one actor alone (Rockwood et al., 2018). When it comes to accounting for nuclear materials, blockchain could be used by member states to confidentially and securely provide data to the IAEA (Vestergaard, 2018). By using a shared ledger system, the transmission of data by a member state would be visible to other member states, while maintaining the anonymity of participants (Rockwood et al., 2018).

In a recent report, Burford (2020) notes that the characteristic features of blockchain, namely its immutability and security as a data management tool, are uniquely suited to “help to build technical capacity among [non-nuclear weapons states] and habits of cooperation among NPT parties, while protecting proliferation-sensitive data” (p. 21). Finally, others have noted that advances in image-recognition software combined with the increased sophistication in and availability of satellite imagery could open up space for more actors to get involved in verification activities (Kaspersen & King, 2019). This would make verification more robust by allowing a greater number of states to participate in what has traditionally been the domain of states that are more technologically superior.

### 1NC---Link---Tech Innovation---1NC

#### The idealization of competition and innovation is a product of technological fetishism that depends on hyperexploitation, imperialism, and material extraction.

Fuchs 16, Professor and Director of the Communication and Media Research Institute at the University of Westminster (Christian, “Digital Labor and Imperialism”, *Monthly Review*, Vol. 67, Iss. 8, retrieved from KU Libraries) strikethrough modifies gendered language

The International Division of Digital Labor

Global communications, in the form of the telegraph and international news agencies, already played a role in imperialism by the time of the First World War, helping to organize and coordinate trade, investment, accumulation, exploitation, and war. A hundred years later, qualitatively different means of information and communication such as supercomputers, the Internet, laptops, tablets, mobile phones, and social media have emerged. But just like the labor of workers in the periphery during earlier stages of imperialism, the production of information and information technology is part of an international division of labor, one that continues to shape modes of production, distribution, and consumption.

Critical scholars introduced the notion of the new international division of labor (NIDL) in the 1980s in order to stress that developing countries had become cheap sources of manufacturing labor and to track the rise of multinational corporations.25 In their book The Endless Crisis, John Bellamy Foster and Robert W. McChesney situate the rise of multinationals in capital's attempt to overcome long-term economic stagnation and attain global monopoly profits.26 Multinationals aim to drive down the wage share globally and increase their profits by installing a system of global competition among workers. The consequence is a worldwide increase in the rate of exploitation that Foster and McChesney, drawing on Stephen Hymer's work, call a "strategy of divide and rule."27

Table 1 shows comparative data for the world's 2,000 largest multinational corporations in the years 2004 and 2014. These companies' revenues accounted for more than 50% of worldwide GDP, showing that multinationals compete for monopoly status at the global level. In both years, almost three-quarters of the capital assets of these companies were located in the FIRE sector-finance, insurance, real estate-which confirms Foster and McChesney's assertion that we can accurately speak of a system of global monopoly-finance capitalism.28 However, these assets also include significant shares in mobility industries (transportation infrastructure, oil and gas, vehicles), manufacturing, and information (from telecommunications hardware, software, and semiconductors to advertising, the Internet, publishing, and broadcasting). All of this indicates that to varying degrees, global capitalism means not only monopoly-finance capitalism, but also monopoly-mobility capitalism, monopolyhyperindustrial capitalism, and monopoly-information capitalism.29

A significant change between 2004 and 2014 was the rise of Chinese multinationals, whose shares of assets, revenues, and profits dramatically increased. European and North American multinational corporations now no longer control around three-quarters, but instead two-thirds of global capital, which means that they nevertheless continue to be dominant. That Chinese multinationals play a more important role does not signify a fundamental break, but rather shows that China imitates Western-style capitalism, so that a "capitalism with Chinese characteristics" has emerged.

The N1DL is at the heart of the information and digital economy that produces information and communication technologies (ICT) and information itself. Various forms of physical work produce information technologies that are then used by workers in the media and cultural industries to create digital content, such as music, movies, data, statistics, multimedia, images, videos, animations, texts, and articles. Technology and content are thus dialectically interconnected, so that the information economy is at once physical and non-physical. The information economy is neither a superstructure nor immaterial, but rather a specific form of the organization of productive forces that cuts across the basesuperstructure divide.

Figure 1 shows a model of the major production processes that are involved in the international division of digital labor. Each production stage involves human subjects (S) using technologies of labor (T) on objects of labor (0), yielding a new product. The very foundation of global digital labor is the agricultural labor cycle by which miners extract minerals. These minerals then become the objects in the next production stage, as they are processed into ICT components, which in turn enter the next labor cycle as objects: assembly workers build digital media technologies using ICT components as inputs. The outcome of all this labor is these digital media technologies, which manage the production, distribution, circulation, and consumption of diverse types of information.

"Digital labor," therefore, does not only denote the production of digital content. It is a category that rather encompasses the whole mode of digital production, a network of agricultural, industrial and informational labor that enables the existence and use of digital media. The subjects (S) involved in the digital mode of production-miners, processors, assemblers, and information workers-stand in specific relations of production. So what is designated as S in figure 1 is actually a relationship, S,-S2, between different subjects or subject groups.

Today most of these digital relations of production are shaped by wage labor, slave labor, unpaid labor, precarious labor, and freelance labor, making the international division of digital labor a vast and complex network of interconnected, global processes of exploitation. These range from the Congolese slave miners who extract minerals for use in ICT components, superexploited wage-workers in Foxconn factories, and lowpaid software engineers in India to highly paid, highly stressed software engineers at Google and other Western corporations, precarious digital freelancers who create and disseminate culture, and e-waste workers who disassemble ICTs, exposing themselves to toxic materials.

Let us look at one example of digital labor. In 2015, according to the Fortune list of the largest transnational corporations, Apple was the world's twelfth largest company.30 Its profits grew from $37 billion in 2013 to $39.5 billion in 2014 and $44.5 billion in 2015.31 That year, iPhones accounted for 56 percent of Apple's net sales, iPads for 17 percent, Macs for 13 percent, and iHines, software, and other services for 10 percent.32 The Chinese labor involved in manufacturing an iPhone made up only 1.8 percent of the iPhone's price, while Apple's profits from iPhone sales were 58.5 percent, and Apple's suppliers, such as the Taiwanese company Foxconn, made a 14.3 percent profit.33 Thus the iPhone 6 Plus does not cost $299 because of labor costs, but rather because for each phone, Apple on average earns $175 in profits and Foxconn makes $43, while the workers assembling the phones in a Foxconn factory receive just $5. The high cost of iPhones and other products are a consequence of a high profit rate and a high rate of exploitation-direct results of the international division of digital labor. China is, as Foster and McChesney write, "the world assembly hub" in a system of "global labor arbitrage and... superexploitation."34

According to the 2015 Fortune Global 500 list, Foxconn is the third-largest corporate employer in the world, with more than a million workers, made up mostly of young migrant workers from the countryside.35 Foxconn assembles the iPad, iMac, iPhone, and the Amazon Kindle, as well as video game consoles by Sony, Nintendo, and Microsoft. When seventeen Foxconn workers tried to commit suicide between January and August 2010, and most of them succeeded, the issue of dismal working conditions in the Chinese ICT assembly industry began to attract wider attention. A number of academic studies have subsequently documented the everyday reality at Foxconn factories, where workers must endure low wages, long hours, and frequent work schedule disruptions: inadequate protective gear; overcrowded, prison-like accommodations: yellow unions managed by company officials and distrusted by workers; prohibitions on talking during work; beatings and harassment by security guards; and disgusting food.36

Yet Apple boasts in its Supplier Responsibility 2014 Progress Report that the company requires its "suppliers to achieve an average of 95 percent compliance with our maximum 60-hour work week."37 The International Labor Organization's Convention C030 on work hours recommends an upper limit of forty-eight hours per work week, and no more than eight hours a day. That Apple prides itself on enforcing a sixty-hour work week for labor in its supply chain shows that contemporary imperialism's international division of digital labor is not just exploitative, but also effectively racist: Apple assumes that for people in China, sixty hours is an appropriate standard.

Apple's 2014 report also claims that the company audited the working conditions of more than a million workers. However, these audits are not conducted independently, nor are their results reported independently. Since Apple doesn't rely on independent corporate watchdog organizations such as Students and Scholars against Corporate Misbehavior (SACOM), its reports must be considered inherently biased: workers being studied by their own employers will certainly not report their complaints, lest they lose their jobs.

As to the numerous labor-rights violations listed above, the report's style and language suggest that the failings of suppliers and local agencies are the problem: "Our suppliers are required to uphold the rigorous standards of Apple's Supplier Code of Conduct, and every year we raise the bar on what we expect....We audit all final assembly suppliers every year." The report could never acknowledge that such behavior is really driven by multinational corporations' own demand to produce cheaply and quickly. Apple's ideological strategy diverts attention from its own responsibility for the exploitation of Chinese workers.

Conclusion: Ideology and Resistance

Apple has marketed the iPhone 5 as being made "for the colorful" and the iPhone 6 as "bigger than big." Such slogans imply that the digital technological revolution has brought about a new and better society that benefits all. Similar ideological promises and claims can be found in the context of social media, cloud computing, big data, crowdsourcing, and related phenomena. Such assertions are forms of technological fetishism that assume that technology inherently fosters a good society without analyzing the social relations in which it is embedded. In technological fetishism, just as Marx wrote of classic commodity fetishism, the "definite social relation between ~~men~~ [people] themselves" assume "the fantastic form of a relation between things."38

Confronting the international division of digital labor with Lenin, Luxemburg and Bukharin's classical concepts of imperialism helps us to unmask this technological fetishism. The example of Apple shows that digital technology and the ideologies that frame it in advertising and politics are obscured by a fascination with the new that necessarily overlooks the continuities of global exploitation.

Apple achieves high profits in the international division of digital labor by outsourcing manufacturing labor to China, where the Western strategy of "exporting capital abroad" achieves high profits because wages are low and the rate of exploitation is high.39 The exploitation of workers at Foxconn, Pegatron and other companies shows that "'[s]weating blood and filth with every pore from head to toe' characterizes not only the birth of capital but also its progress in the world at every step."40 Through it all, Lenin's and Luxemburg's analyses remain as true in the twentyfirst century as they were a hundred years ago.

#### ICT development is dependent on anti-Black labor practices, material extraction, and environmental destruction.

Noble 16, assistant professor in the Department of Information Studies in the Graduate School of Education and Information Studies at UCLA. (Safiya Umoja, 2016, “A Future for Intersectional Black Feminist Technology Studies”, *Socialist & Feminist Online*, Issue 13.3-14.1, <https://sfonline.barnard.edu/traversing-technologies/safiya-umoja-noble-a-future-for-intersectional-black-feminist-technology-studies/>, accessed 8/26/2021)

\*\*\*note – underlined portion of the card has mention to sexual assault, it will not be highlighted.

The New Scramble for Africa: An Intersectional Analysis of the IT Sector

In the new scramble for Africa’s resources, transnational information and communication industries are racing to control the minerals and land needed for their aggressive expansion and growth—an echo of earlier colonial pursuits by European nations looking to open new markets for cotton and revitalize depressed Western economies.[20] Neocolonial processes remain intact, particularly in places like the Democratic Republic of Congo. That nation’s history of Western plunder began a century and a half earlier, under the rule of King Leopold II of Belgium, when its rubber and ivory resources were extracted for the manufacture of tires and condoms destined for the sprawling automobile and leisure culture of the United States.[21]

Efforts to reclaim autonomy over the Congo and its natural-resource riches were led in part by the pan-Africanist Patrice Lumumba, whose opposition to Belgian and US control of the Congo resulted in his assassination in 1961. This was but one of many efforts to subdue and effectively put down Black liberation movements on the continent of Africa. The foreclosing of African anti-colonial movements by Western state powers was mirrored in the US government’s simultaneously enacted Counter Intelligence Program (COINTELPRO), which systematically assassinated and jailed Black feminist and Black Power liberation and civil rights movement activists in the US from the 1960s to the 1980s. Many of these same strategies are being re-enacted in this historical moment under the USA Patriot Act. The North American activists targeted by COINTELPRO were seeking liberation from interlocking oppressions, and developed relationships of solidarity and mutual aid with many pan-Africanist movements. Since the 1940s, pan-Africanists had been actively engaging in conferences and knowledge production designed to unify the interests of oppressed peoples directly affected by imperialist projects around the globe. This is an important intellectual lineage from which intersectional feminist critiques and activism emerged, their origins evident in the statement issued in 1945 from the Fifth Pan-African Conference:

We condemn the monopoly of capital and the rule of private wealth and industry for profit alone. We welcome economic democracy as the only real democracy. Therefore we shall complain, appeal and we will make the world listen to the facts of our condition. We will fight every way we can for freedom, democracy and social betterment.[22]

These intellectual linkages of critique and resistance demonstrate the connection between colonial projects of the past to the neocolonial, transnational, and neoliberal projects of the contemporary moment. Indeed, the neocolonial projects that fuel extraction industries (and their concomitant environmental and human catastrophes) in places like the Congo today persist in a historical trajectory of global capital’s thirst for expansion at the expense of Black life. Pádraig Carmody details the colonial quest for rubber and ivory in the Congo that led to the slaughter of more than ten million people; Carmody estimates that another three to five million were killed from 1983 to 2003 in wars over minerals and the control of coltan.[23] Coltan, short for columbite-tantalite, is a mineral, more potent than steel which is needed for computers and electronics to release electrical charges in small capacitors.[24] Contemporary global communications infrastructure, including the internet and the billions of devices, appliances, electronics, and “things” connected to it, could not exist without cheap access to coltan. Nevertheless, the bloody “conflict mineral” wars over its control—the rape, violence, and loss of human life involved—are largely invisible byproducts to digital tech users in the West.

In the networked economy of resources needed for global communications infrastructure, Black lives are engaged in some of the most treacherous labor essential to the growth and proliferation of the internet. Capital’s organization in multi-tiered global supply chains[25] obfuscates the direct relationships between Black labor, child labor, civil war, rape, and a smartphone, laptop, or iPad. Electronics companies such as Google, Apple, Dell, Intel, Sony, Nokia, and Ericsson are heavily invested in the computer and electronics hardware manufacturing industries and need raw minerals such as coltan to produce components such as tantalum capacitors for microprocessor chips. But this labor is outsourced, and thus conveniently out of sight and out of mind, going to low-bidders who provide the cheapest labor under favorable neoliberal economic policies. These practices are consistent with other forms of racialized and outsourced internet labor, such as commercial content moderation for large internet companies.[26]

In a transnational and neoliberal context, such practices are not limited to sites located geographically outside the West. David Pellow and Lisa Sun-Hee Park have written a comprehensive study of the underside of Silicon Valley—touted as a panacea of innovation, wealth, and opportunity, when this is the reality only for a choice few.[27] Just as in other areas of the globe, the technology and communications industries headquartered in Silicon Valley achieve their capital accumulation at the expense of overuse and abuse of the environment, gross poverty, and health degradation as they rely on an invisible labor force of immigrants and others living in the transnational, racialized margins:

Power, privilege and wealth are relational, which often means that one person’s riches and leisure time are derived from another’s impoverishment and hard labor; one’s socioeconomic or racial/ethnic group’s access to safe, high-salary jobs and clean neighborhoods is frequently linked to another group’s relegation to dangerous, low-wage occupations and environmentally contaminated communities. This is the essence of environmental racism and environmental injustice: ecological policies and practices are characterized by unfair treatment, discrimination, and oppression.[28]

Intersectional analysis makes these relational elements visible and allows us to trace the connections forged by inequities of wealth and power that bind local communities to others around the globe. Taking an intersectional approach to the internet and its infrastructure bridges the African diaspora, to help us see where and how oppressions are operationalized in similar ways and in the service of shared agents or shared motivations. The internet and its infrastructure are implicated in cases such as the recent public health crisis in Flint, Michigan, where state and corporate abuses, in the interest of multinational companies heavily invested in the technology sector, resulted in poisoned water supplies. The web is functioning as a site of online hyper-surveillance and trolling of Black activists engaged in the #BlackLivesMatter movement in the US and beyond. It is fundamental to Wall Street, where, through the mortgage crisis and Great Recession of 2008, information technology and the gamification of financial markets led to the largest decimation of Black wealth in the history of the United States. It is central to the oppressive working conditions facing Congolese laborers engaged in mineral extraction, in mineral wars, and in creating the greatest site of sexual violence in the world, according to the United Nations. It is evident in the toxic waste sites on the west coast of Africa, in Ghana, where e-waste is shipped in from the West and dumped, poisoning land, water, people, and environments.

These connections need to be made in order to understand the tradeoffs and true costs that come with the overemphasis, financially and in policy, on digital technologies and internet infrastructures. Communications scholar Robert Mejia has critiqued the multiple ways in which electronics and communications devices and infrastructures have material consequences with potent environmental impacts. He notes:

it is imperative that media and cultural studies scholars offer an account of how the 3.7 million gallons of water used per day by Intel in Hillsboro, Oregon, and the millions more used elsewhere, contribute to an ecology hospitable to infectious disease and its natural reservoirs… Knowing that an estimated 632,000 pounds of mercury were disposed of in United States’ landfills between 1997 and 2007, from just discarded personal computers alone, and that about 130 million cellphones are thrown away each year.[29]

The consequences of these ecological disasters are not equitably applied to everyone. The study of the materiality of the internet includes thinking through the specific contexts of who is affected by the social, environmental, economic, and policy arrangements of the digital.[30]

Intellectual investments in thinking of the internet and the digital as disembodied and ephemeral—as if they have no materiality—come at a great cost of erasure and denial. Jean-François Blanchette has written one of the most detailed critical accounts of the development of computing—including the ways in which information is processed, networks are developed and managed, and fiber infrastructure is built and maintained—in order to dislodge the idea that the internet and computing are immaterial or abstract.[31] An intersectional examination of the global information infrastructure underscores that it is predicated upon a complex, globalized, and fundamentally material economy of resource extraction and human labor, from Congolese labor to extract minerals, to Chinese labor working for poverty wages at Foxconn to make Apple’s iPhones, to the exclusion of African American labor from high-wage IT jobs in the United States, to Ghanaians sifting through electronic trash and toxic waste.

## ADV---FTC

### 1NC---Spyware

#### U.S. uses spyware – proves our exceptionalism links on the critique page, BUT also means the U.S. can never effectively set global rules for spyware because we look super hypocritical, FTC’s not gonna prosecute *the army*.

Cora Currier and Morgan Marquis-Boire 15. “LEAKED DOCUMENTS SHOW FBI, DEA AND U.S. ARMY BUYING ITALIAN SPYWARE”. The Intercept. Jul 16 2015. https://theintercept.com/2015/07/06/hacking-team-spyware-fbi/

The FBI, Drug Enforcement Administration and U.S. Army have all bought controversial software that allows users to take remote control of suspects’ computers, recording their calls, emails, keystrokes and even activating their cameras, according to internal documents hacked from the software’s Italian manufacturer.

The company, Hacking Team, has also been aggressively marketing the software to other U.S. law enforcement and intelligence agencies, demonstrating their products to district attorneys in New York, San Bernardino, California, and Maricopa, Arizona; and multi-agency task forces like the Metropolitan Bureau of Investigation in Florida and California’s Regional Enforcement Allied Computer Team. (We do not use this product nor are we currently considering a proposal from the vendor/manufacturer to purchase it,” Jerry Cobb, a spokesperson for the Maricopa County Attorney’s Office said.)

The company was also in conversation with various other agencies, including the CIA, the Pentagon’s Criminal Investigative Service, the New York Police Department, and Immigrations and Customs Enforcement.

### 1NC---Squo Solves FTC

#### Blockchain lessens the burden of antitrust enforcement, and current law solves blockchain-enabled collusion---Schrepel’s wrong

Samuel N. Weinstein 21, Associate Professor of Law, Benjamin N. Cardozo School of Law, Winter 2021, “Blockchain Neutrality,” Georgia Law Review, 55 Ga. L. Rev. 499

A burgeoning body of legal scholarship has documented the spread and implications of blockchain, addressing how the technology works and its potential to upend various markets. 21 [\*507] Much of that scholarship has focused on the financial markets, especially the development of cryptocurrencies. 22 A handful of scholars have addressed the regulatory challenges blockchain presents, including in the financial services sector, 23 but this literature is still in its infancy. This is particularly true for antitrust and competition scholarship, which is especially sparse. 24 This Article addresses that gap in the blockchain literature.

[\*508] In doing so, the Article draws a distinction between antitrust and competition policy. The former term is used here to refer to enforcement of federal and state antitrust statutes, particularly the Sherman and Clayton Acts. 25 This Article treats the latter term as a broader concept encompassing not only decisions about antitrust enforcement priorities, but a wider set of choices made by Congress, the executive branch, sector regulators, and state and local governments that establish the terms on which competition takes place in various markets. 26 It argues that concerns among some scholars and practitioners that blockchain threatens effective antitrust enforcement are premature. 27 [BEGIN FOOTNOTE] See, e.g., Schrepel, supra note 24, at 335 ("In the face of blockchain, current antitrust law may well be eliminated."). [END FOOTNOTE] Despite the technology's disruptive nature, the substantive antitrust challenges blockchain poses are not novel and can be addressed using current law and enforcement strategies. Indeed, the transparency blockchain offers may simplify discovery and prosecution of antitrust violations. Rather than locating and sifting through hundreds of thousands of documents to prove a price-fixing conspiracy, enforcers may find the relevant evidence permanently recorded on a cartel's blockchain. The ability of blockchain users to mask their identities by employing pseudonyms may raise some technical enforcement challenges, but [\*509] pseudonymity does not guarantee anonymity. 28 Violators typically can be identified, and remedies can attach. 29

### 1NC---AT: AI Norms

#### Emerging tech regulation fails and AFF can’t solve.

Greg E. Marchant 20, Regents Professor and Lincoln Professor of Emerging Technologies, Law & Ethics, and Faculty Director, Center for Law, Science & Innovation, Sandra Day O’Connor College of Law, Arizona State University, “Governing Emerging Technologies,” Vanderbilt Law Review, Vol. 73(6), 2020, p. 1863-1865

I. THE WICKED PROBLEM OF EMERGING TECHNOLOGY GOVERNANCE

Emerging technologies—such as synthetic biology, gene editing, nanotechnology, artificial intelligence, internet of things, 3D printing, drones, applied neurotechnologies, and blockchain and cryptocurrencies—present a common set of governance challenges.5 Perhaps most significant is the “pacing problem,” where the pace of technology development far outstrips the capability of regulatory systems to keep up.6 Powered by growing market demand and intense business competition, new technologies are being developed, deployed, and commercialized faster than ever before.7 At the same time, traditional governmental processes of legislation, regulation, and judicial review have been slowed by increasing bureaucratic requirements and the increasing politicization of technological disputes.8 The result of accelerating technology and decelerating regulatory oversight is a growing governance gap. Any new statutes or regulations affecting these new technologies are likely to be outdated before the ink dries. As technology governance expert David Rajeski has noted, “[i]f you think that any existing regulatory framework can keep pace with this rate of change, think again.”9 Facing such a bleak prospect, regulators often sensibly defer regulation, waiting for a more stable technology plateau that may or may not ever come.

A second regulatory challenge of many emerging technologies is that they present risks and concerns outside the scope of existing regulatory agency jurisdictions.10 Regulatory agencies, such as the U.S. Food and Drug Administration, are restricted to regulating the safety and efficacy of products. But many applications of emerging technologies raise broader ethical and social concerns relating to human enhancement, “playing God,” autonomy, dignity, fairness, equitable access, privacy, and longer-term impacts on society.11 These issues are largely outside the safety and efficacy scope of current agency jurisdictions and thus often escape any regulatory oversight.

Yet another challenge to the regulation of emerging technologies is their breadth of application. Technologies such as artificial intelligence, nanotechnology, and blockchain span the entire industry spectrum, as well as many nonindustrial activities and sectors. They are sometimes referred to as “enabling” or “platform” technologies that, like computers or the internet, have the potential to affect virtually every industry sector.12 There are thousands, if not tens or hundreds of thousands, of ways these core technologies are used, each with their own context of risks and benefits. These broad applications not only involve many different types of industries and businesses, but also affect many other types of stakeholders and nongovernmental organizations with particular interests in specific applications. The broad applications of these technologies also span many different regulatory agencies, each with their own organic statutes with different requirements, criteria, and goals. The end result of this multitude of applications, regulated parties, stakeholders, and regulators is tremendous regulatory diversity and complexity. Further complicating the regulatory challenge, emerging technologies are inherently international in application, creating the need for some type of international coordination.13

Finally, the unprecedented uncertainty about emerging technologies also impedes effective regulation.14 Because the technologies are so new and moving forward so quickly, there is enormous uncertainty about the trajectories, benefits, and risks of these technologies.15 Given these uncertainties, it is possible to paint unrealistically optimistic or pessimistic visions of the technology at issue, thus fostering public controversy, conflict, and unease.16

In summary, the governance of emerging technologies is characterized by complexity, diversity, and uncertainty. These same characteristics—complexity, diversity, and uncertainty—are the defining characteristics of a wicked problem.17 As a wicked problem, the governance of emerging technologies is unlikely to be solved by a single or simple solution. Traditional government regulation will not be sufficient, or many times even appropriate, for emerging technologies.18 Rather than traditional regulation—consisting of enforceable rules unilaterally imposed by a regulatory agency—emerging technologies will require a “governance” approach that expands the categories of responsible parties beyond government to include the private sector, nongovernmental organizations, and think tanks and also expands the relevant oversight mechanism beyond enforceable government regulations.19 Four alternative governance approaches for emerging technologies are discussed and evaluated in the next Part.

#### OR, global AI governance will be effective now.

Lewin Schmitt 21¸ predoctoral researcher at Institut Barcelona Estudis Internacionals, 8/17/21, “Mapping global AI governance: a nascent regime in a fragmented landscape,” AI and Ethics, https://doi.org/10.1007/s43681-021-00083-y

The preceding overview of the global AI governance landscape allows for several relevant observations, which are discussed in the following section.

First, there is a clear tendency to accommodate governance initiatives within the existing architecture, both by state and non-state actors. This could have several potential explanations. States and other global governance actors might be wary of foundational innovation and starting from scratch. Instead, they prefer to build on existing, proven governance arrangements. Alternatively, more attempts might have been made with new instruments and these might simply have been less fruitful and thus did not feature in this overview. In any case, the case of the GPAI suggests a gravitational pull towards established governance mechanisms.

Second, there is a fairly equitable distribution of labor between national governments (state-led) and international organizations (non-state-led). The community of international organizations moved early to occupy an open policy space, thus carving out a considerable competence vis-à-vis its member states. These, in return, offloaded some of the AI policy work to international organizations (CoE, OECD via GPAI). This would suggest that states accept their role as useful fora for international cooperation and the steering of AI development into globally beneficial directions. However, global coordination in this realm has so far not touched upon legally binding treaties. It may well be that governments decided to transfer some authority to IOs only as long as they deal with rather abstract principles or soft governance, but would withdraw or stall as soon as work proceeds towards more regulatory, hard governance. Whether the CoE will produce any meaningful conclusions by the end of the year may be a good indication of the potential for such binding international rules.

Thirdly, international standards organizations play a role in the development of AI governance, as is the case for most emerging technologies. More worrying is the shift towards geopolitics: in the last years, the development of international AI standards has increasingly received attention from key governments such as China, the EU, and the US. Their renewed interest and subsequent strategic engagement risks contention and the encroachment of geopolitical considerations into domains that ought to be technical [62, 63]. This may not only affect the quality of standards but also obstruct debates around AI ethics. As standards cannot be completely detached from the policy world, scholars of global AI governance need to have a sound understanding of the proceedings in the international standard-setting arena. Future research should explore the interactions and means by which governments aim to steer the development of standards to further their own perceived interests.

Lastly, sub-state actors from the public sector are practically not present in the discussions around global AI governance. This is in stark contrast to other policy domains such as global climate change governance, where city networks play an important role. It is also a bit surprising, given that cities are one of the focal points of AI rollout and several cities have subsequently taken notable actions with regards to AI policy. However, to date, these actions are isolated and do not engage at the supranational or global level.

In light of the fuzzy nature of AI, it is barely surprising that the current landscape is somewhat fragmented. Promising moves towards some degree of centralization and coordination are found in the prominent role of the OECD. With its epistemic authority and its norm- and agenda-setting power, it managed to act as a reference point for the G7 and G20. Through its close collaboration with other multilateral actors such as the European Commission, the UN, and the CoE, and by using the GPAI as a dedicated tool for advancing global AI governance, it may continue to play a leading role.

With all this in mind, this article argues that we are witnessing the first signs of consolidation in this fragmented landscape. The nascent AI regime that emerges is polycentric and fragmented but gravitates around the OECD, which holds considerable epistemic authority and norm-setting power. It is polycentric because it features different epistemic communities and multiple centers of decision-making, each operating with some degree of autonomy. It is fragmented because there is substantial overlap in different actors’ membership and the topics addressed by these initiatives; the well-connected epistemic communities are equally overlapping. As with other polycentric governance architectures, global AI governance will likely continue to struggle with the challenge of coordination [64]. While epistemic and membership overlap may benefit consolidation or convergence, topic overlap tends to foster fragmentation and adds complexity to the regime.

This article has been mostly agnostic to the content of what these global governance initiatives and arrangements actually entail. It was a deliberate choice to focus the analysis on structure, actors and instruments, to avoid confusion between structure and content. Nevertheless, a quick look at the main developments suggests that there is convergence on a certain type of AI values and principles, as put forward by the European Commission and the OECD. These are focusing on trustworthy, human-centric AI.

# 2NC

#### Coordinated strikes solve---they disrupt global supply chains that are key to capitalism.

Fox-Hodess 21, Sociologist and cofounder of the International Labour and Logistics Research Network (Katy, June 16th, “Logistics Workers Make Global Capitalism — and They Can Break It, Too,” *Jacobin Magazine*, <https://www.jacobinmag.com/2021/06/logistics-industry-capitalism-unions>, Accessed 11-08-2021)

The logistics industry is key to the global circulation of goods under capitalism. Workers have immense power within it to grind that circulation to a halt — if they can get organized.

Over the past several decades, capitalism has broken up the production process into individual steps carried out in separate work sites scattered across the globe. As a result, logistics, the systems that organize the physical movement of goods through space and time, has become more central to global capitalism than ever, and that gives workers in the logistics sector — including ports, rail, trucking, and other industries — tremendous potential leverage over the capitalist class. Any attempt to think strategically about strengthening working-class power must therefore grapple with the sector and how it works.

# 1NR

## K

#### 3---The aff’s “Extinction first” framing is a new link---it willingly sacrifices billions in the Global South at the altar of a miniscule risk of extinction---there’s a reason only white elites like their impact framing.

Torres 21, PhD candidate at Leibniz Universität Hannover. Previously studied at Harvard University and Brandeis University. Author of Morality, Foresight, and Human Flourishing: An Introduction to Existential Risks (Phil, July 28th, “The Dangerous Ideas of ‘Longtermism’ and ‘Existential Risk’,” *Current Affairs*, <https://www.currentaffairs.org/2021/07/the-dangerous-ideas-of-longtermism-and-existential-risk>, Accessed 10-27-2021)

It’s this line of reasoning that leads Bostrom, Greaves, MacAskill, and others to argue that even the tiniest reductions in “existential risk” are morally equivalent to saving the lives of literally billions of living, breathing, actual people. For example, Bostrom writes that if there is “a mere 1 percent chance” that 10^54 conscious beings (most living in computer simulations) come to exist in the future, then “we find that the expected value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth a hundred billion times as much as a billion human lives.” Greaves and MacAskill echo this idea in a 2021 paper by arguing that “even if there are ‘only’ 1014 lives to come … , a reduction in near-term risk of extinction by one millionth of one percentage point would be equivalent in value to a million lives saved.”

To make this concrete, imagine Greaves and MacAskill in front of two buttons. If pushed, the first would save the lives of 1 million living, breathing, actual people. The second would increase the probability that 10^14 currently unborn people come into existence in the far future by a teeny-tiny amount. Because, on their longtermist view, there is no fundamental moral difference between saving actual people and bringing new people into existence, these options are morally equivalent. In other words, they’d have to flip a coin to decide which button to push. (Would you? I certainly hope not.) In Bostrom’s example, the morally right thing is obviously to sacrifice billions of living human beings for the sake of even tinier reductions in existential risk, assuming a minuscule 1 percent chance of a larger future population: 1054 people.

All of this is to say that even if billions of people were to perish in the coming climate catastrophe, so long as humanity survives with enough of civilization intact to fulfill its supposed “potential,” we shouldn’t be too concerned. In the grand scheme of things, non-runaway climate change will prove to be nothing more than a “mere ripple” —a “small misstep for mankind,” however terrible a “massacre for man” it might otherwise be.

Even worse, since our resources for reducing existential risk are finite, Bostrom argues that we must not “fritter [them] away” on what he describes as “feel-good projects of suboptimal efficacy.” Such projects would include, on this account, not just saving people in the Global South—those most vulnerable, especially women—from the calamities of climate change, but all other non-existential philanthropic causes, too. As the Princeton philosopher Peter Singer writes about Bostrom in his 2015 book on Effective Altruism, “to refer to donating to help the global poor … as a ‘feel-good project’ on which resources are ‘frittered away’ is harsh language.” But it makes perfectly good sense within Bostrom’s longtermist framework, according to which “priority number one, two, three, and four should … be to reduce existential risk.” Everything else is smaller fish not worth frying.

If this sounds appalling, it’s because it is appalling. By reducing morality to an abstract numbers game, and by declaring that what’s most important is fulfilling “our potential” by becoming simulated posthumans among the stars, longtermists not only trivialize past atrocities like WWII (and the Holocaust) but give themselves a “moral excuse” to dismiss or minimize comparable atrocities in the future. This is one reason that I’ve come to see longtermism as an immensely dangerous ideology. It is, indeed, akin to a secular religion built around the worship of “future value,” complete with its own “secularised doctrine of salvation,” as the Future of Humanity Institute historian Thomas Moynihan approvingly writes in his book X-Risk. The popularity of this religion among wealthy people in the West—especially the socioeconomic elite—makes sense because it tells them exactly what they want to hear: not only are you ethically excused from worrying too much about sub-existential threats like non-runaway climate change and global poverty, but you are actually a morally better person for focusing instead on more important things—risk that could permanently destroy “our potential” as a species of Earth-originating intelligent life.

#### Environment is getting worse.

Parrique 21, PhD in economics from the Centre d’Études et de Recherches sur le Développement—University of Clermont Auvergne, France and the Stockholm Resilience Centre—Stockholm University, Sweden (Timothée, April 29th, “Is green growth happening?” *Uneven Earth*, <https://unevenearth.org/2021/04/is-green-growth-happening/>, Accessed 02-23-2022)

The decoupling rates are minuscule

The study analyses 18 developed economies (Sweden, Romania, France, Ireland, Spain, UK, Bulgaria, The Netherlands, Italy, United States, Germany, Denmark, Portugal, Austria, Hungary, Belgium, Finland, and Croatia) between 2005 and 2015, finding that emissions decreased by a median -2.4% per year during that decade.

This is tiny – three times smaller than the yearly 7.6% cut of global emissions that would be necessary to meet 1.5°C Paris target (and this number is from 2019; the cuts would need to be even larger today). One striking example is France. The study indicates that France decreased its consumption-based emissions by a yearly -1.9% over the period with barely any GDP growth (+0.9%). Now compare this to the French climate target, which is to reach 80 MtCO2 by 2050, an 80% reduction compared to 2019 levels of emissions.

The UK is another case in point. The country is often lauded to have achieved the fastest experience of decoupling on Earth. In the Le Quéré study, its consumption-based emissions decreased by -2.1% per year between 2005 and 2015 with positive GDP rates of around 1.1%. This is not much in the way of decoupling; the country has pledged to reduce emissions by twice that amount (5.1% per year). To actually comply with the Paris Agreement, the UK must achieve a yearly 13% cut in emissions, starting now and for the decades to come. This is much – much – more than what green growth can provide.

The authors themselves err on the side of caution: “as significant as they have been, the emissions reductions observed […] fall a long way short of the deep and rapid global decarbonization of the energy system implied by the Paris Agreement temperature goals, especially given the increases in global CO2 emissions in 2017 and 2018, and the slowdown of decarbonization in Europe since 2014.” Data from this year supports the authors’ precaution: de-carbonisation in many high-income economies has slowed down after 2015.

The fact that these rates are so small is worrying because we’re dealing here with the supposedly best country cases of decoupling. Assuming these rates can now suddenly accelerate would be like expecting Usain Bolt to triple his running speed. Even more unlikely, we would need all countries in the world to match the triple of these record levels.

A “sustainable” economy in any meaningful understanding of the term must consider all the complex interactions it has with ecosystems, and not only carbon

Minuscule is a long way from enough

In March 2021, the authors published a new study showing that 64 countries managed to cut their CO2 emissions by 0.16 GtCO2 every year between 2016 and 2019. This is good, but again, not good enough. And not good enough has dire consequences. To be precise, this is one tenth of what would be needed at the global level to meet the Paris climate goals; and if 64 countries managed to reduce emissions, 150 others did not. The latter increased their emissions by 0.37 GtCO2 each year. Put the two numbers together and you realise that global emissions have actually been growing by 0.21 billion tonnes per year.

This puts pressure on high-income economies. For developing countries to be able to increase their ecological footprint, affluent nations must reduce theirs as much as possible. Climate-neutrality at the national level by 2050 is not enough if we want today’s poorest to have the option of increasing their material consumption. And rates of reduction in rich nations of 1-3% are far from enough to compensate for the surge in resource use currently taking place in the global South.

This is only fair considering historical emissions. The global North is responsible for 92% of excess global CO2 emissions (the ones past the 350ppm threshold). For example, France has already overshot its fair share of the climate budget by 29.4 GtCO2. The Le Quéré study shows that it has decreased its emissions by 10 MtCO2 every year between 2005 and 2015. At that pace, and assuming carbon neutrality, it would take almost three millennia for France to resorb its climate debt.

Green growth without growth

Emissions in the 18 studied countries decreased by -2.4% each year, but how big was GDP growth during that period? The answer: small. These economies grew by a median +1.1%. Denmark, Italy, and Spain are leading the decoupling pack with yearly carbon reductions of -3.7%, -3.3%, and -3.2% respectively. This, however, can hardly be called green growth because these economies barely grew – or actually receded (+0.6% of GDP in the case of Denmark, -3.3% for Italy, and -3.2% for Spain).

The authors acknowledge that this period is nothing extraordinary: “These reductions in the energy intensity of GDP in 2005-2015 do no stand out compared to similar reductions observed since the 1970s, indicating that decreases in energy use in the peak-and-decline group could be explained at least in part by the lower growth in GDP.”

So, the paper most popularly cited to assert that carbon-free economic growth is possible also shows that part of the decarbonisation is due to the fact that there was little or no growth. It comes as no surprise then that, using simulations, the authors estimate that “if GDP returns to strong growth in the peak-and-decline group, reductions in energy use may weaken or be reversed unless strong climate and energy policies are implemented.”

Sustainability is more than just carbon

The authors’ study is about carbon, but carbon is one environmental problem among many others. Unfortunately, it is the only one that is adequately researched, with 80% of decoupling studies focusing on primary energy and greenhouse gases. This leaves only a few studies that have been conducted on other aspects of ecological breakdown, including material use, water use, land change, water pollution, waste, and biodiversity loss.

While there are a few inspiring stories of decoupling concerning carbon emissions, studies that track other indicators tell us a different story, one in which the economy is still strongly coupled with biophysical throughput. Materials are a good case in point. If the world economy was gradually de-materializing in the 20th century, this trend has since been reversing in the last two decades. This alone should temper optimism concerning an assumption of endless supplies of renewable energy, which after all, are dependent on the mining of finite quantities of minerals.

My point is that a “sustainable” economy in any meaningful understanding of the term must consider all the complex interactions it has with ecosystems, and not only carbon. A genuinely sustainable economy should not only be carbon neutral, but also remains within the regenerative capacities of all renewable resources, within the acceptable stocks of non-renewable resources, and within the assimilative capacities of ecosystems. Although sustainability ought to be understood as being about much more than only the condition of the biophysical environment, it seems evident that living within planetary boundaries is a minimum, non-negotiable condition for any kind of long-lasting prosperity.

Since GDP remains significantly coupled with carbon emissions and other environmental pressures, a good way of limiting ecological wreckage is to put limits on the scale of the economy

Temporary decoupling

Mitigating environmental pressures in a growing economy not only implies achieving absolute decoupling from GDP, but also requires maintaining such decoupling in time for as long as the economy grows (recalling that emissions must be reduced by at least 7.6% every year from now on). Said differently, continuous economic growth requires a permanent absolute decoupling between GDP growth and environmental pressures. Yet, in the same way that economic growth and environmental pressures can decouple at one point in time, they can just as easily recouple later on.

This happens more often than we think. Let’s reflect upon the time when the International Energy Agency declared that decoupling was “confirmed” after observing a levelling of global emissions in 2015 and 2016. Yet, this decoupling was short-lived. In fact, it was mainly due to China moving from coal to oil and gas at the same time that the United States was shifting to shale gas. The shift was temporary. After that, economic growth recoupled with carbon emissions.

Situations of recoupling can also happen with renewables. In the decade between 2005 and 2015, Austria, Finland, and Sweden greened their energy mix and, as a result, lowered their emissions. But once this shift is complete, further growth will require an expansion of the energy infrastructure, which will imply additional environmental pressures. In fact, this is what happened after the studied period. Austria decreased its emissions by -0.6% in 2006-2010 and -1.6% in 2011-2015, but emissions returned positive by +0.3% in 2016-2019. A similar story took place in Finland and Sweden; the rates of reduction accelerated between 2006 and 2015 but slowed down after that.

Some commentators hypothesized that the return of economic growth after the pandemic would be green, or at least, greener. Yet, global energy-related carbon dioxide emissions are on course to surge by 1.5 billion tons in 2021 – the second-largest increase in history – reversing most of the decline caused by the pandemic. The lesson from the corona crisis is this: slight oscillations from light to heavy ecological beating are not enough – we need to radically and immediately transform the economy.

## Case

#### 2---RoboBees---the 1AC claims to proliferate them 🐝🤖🐝🤖🐝🤖

Tash 1AC Bandeira 20, Reporter at Ubibots, an Engineering Services Firm, “Saving the Bees with IoT”, Ubidots, 7/15/2020, https://ubidots.com/blog/saving-the-bees-with-iot/

But easily the biggest buzz in IoT-enabled solutions is the development of robot bees, or pollination drones. Straight out of a “Black Mirror” episode, RoboBees were introduced by Harvard University researchers in 2013. While their first iterations were limited to flying and hovering, they can now swim underwater and stick to various surfaces. Robotic bees of the future could potentially work farms like their natural counterparts, pollinating crops and helping offset population losses.

No matter what form our ‘IoBees’ solutions take, the collecting and sharing of data will give us profound insights into their lives. Researchers and IoT Entrepreneurs all over the world are realizing the potential of aggregating this data into IoT dashboards, creating IoT solutions that can be commercially offered to either the farmers or research institutions.

Such array of projects aimed at tackling the bee crisis shows the powerful potential for IoT to help save the bees that feed our world.

#### RoboBees will be used to kill, not pollinate.

Ronson 16 (Jacqueline, science writer based on Vancouver Island, Canada, “'BLACK MIRROR' KILLER BEE DRONES ARE COMING FOR YOU IRL,” 10-25-2016, <https://www.inverse.com/article/22678-black-mirror-robot-bee-drones>, DOA: 3-5-2022) //Snowball

Binge watchers of Netflix’s Black Mirror, released on Friday, understand that the only thing more terrifying than a swarm of bees, is a swarm of robotic bees harnessed to a nefarious end. The final episode, “Hated in the Nation,” is showrunner Charlie Brooker’s pièce de résistance, a truly terrifying imagination of the near future that comes a little too close to the truth for comfort. The super-long season finale takes aim at the real, destructive power of swarms, online and IRL.

In this episode, (spoilers ahead) the villains are robotic bees, made to pollinate crops in the absence of real insects, but hacked, so that instead they go after the targets of online dragnets. Anyone marked with the #DeathTo hashtag might soon find themselves swarmed by tiny drones that fly up their nose and short-circuit their brain as their victim meets an extraordinarily painful end.

In the real world, a team of Harvard researchers are actually working on robotic bees that could one day fill the role of pollinators. They’ve been nicknamed “RoboBees,” and they’re already airborne. In 2013, the team demonstrated that the little bugs could fly and hover, albeit still attached to a wire and external power source. This year the team announced a great leap in efficiency — the RoboBees can now perch on objects from any angle, using just the force of static electricity. That saves precious energy that might otherwise by used in a hover. Oh yeah — and they can swim.

We’re still a ways off from micro-drones that can actually pollinate flowers, let alone go off on murderous rampages. The engineers will have to find a power source small enough and light enough that the little bees can go off on little untethered jaunts of their own. And then, they’ll have to have the power to communicate with each other and work as a swarm to efficiently pollinate the fields. Even in a best-case scenario, it will be 10-15 years before tiny drones can fly autonomously, flower to flower, Harvard engineer Kevin Ma tells Business Insider.

The team imagines other jobs for their future bees, like finding survivors in the wake of a natural disaster, or spying on military targets. The more powerful they become, the easier it is to imagine them being co-opted for malevolent intentions.

A proliferation of micro-drones is almost certainly in humanity’s future. They will probably, at some point, be able to work together and act as a swarm. Could they be programmed to kill? Of course. Drones are already responsible for thousands of human deaths, and there’s no reason to believe tiny counterparts won’t be weaponized, too.

It’s actually far more likely that insect drones will be used in warfare, rather than agriculture. The worldwide decline of bee populations is a disaster, but there are solutions that don’t require replicating the bee, itself, in robot form. Plants can be pollinated by hand with paintbrushes, or they can be sprayed with pollen by airplanes overhead, or machinery on the ground.

#### No intrinsic benefit to blockchain.

Paul Krugman 21, Distinguished Professor at the City University of New York Graduate Center, won the 2008 Nobel Memorial Prize in Economic Sciences, 5/20/21, “Technobabble, Libertarian Derp and Bitcoin,”

A number of readers have asked me to weigh in on Bitcoin and other cryptocurrencies, whose fluctuations have dominated a lot of market news. Would I please comment on what it’s all about, and what’s going on?

Well, I can tell you what it’s about. What’s going on is harder to explain.

The story so far: Bitcoin, the first and biggest cryptocurrency, was introduced in 2009. It uses an encryption key, similar to those used in hard-to-break codes — hence the “crypto” — to establish chains of ownership in tokens that entitle their current holders to … well, ownership of those tokens. And nowadays we use Bitcoin to buy houses and cars, pay our bills, make business investments, and more.

Oh, wait. We don’t do any of those things. Twelve years on, cryptocurrencies play almost no role in normal economic activity. Almost the only time we hear about them being used as a means of payment — as opposed to speculative trading — is in association with illegal activity, like money laundering or the Bitcoin ransom Colonial Pipeline paid to hackers who shut it down.

Twelve years is an eon in information technology time. Venmo, which I can use to share restaurant bills, buy fresh fruit at sidewalk kiosks, and much more, was also introduced in 2009. Apple unveiled its first-generation iPad in 2010. Zoom came into use in 2012. By the time a technology gets as old as cryptocurrency, we expect it either to have become part of the fabric of everyday life or to have been given up as a nonstarter.

If normal, law-abiding people don’t use cryptocurrency, it’s not for lack of effort on the part of crypto boosters. Many highly paid person-hours have been spent trying to find the killer app, the thing that will finally get the masses using Bitcoin, Ethereum or some other brand daily.

But I’ve been in numerous meetings with enthusiasts for cryptocurrency and/or blockchain, the concept that underlies it. In such meetings I and others always ask, as politely as we can: “What problem does this technology solve? What does it do that other, much cheaper and easier-to-use technologies can’t do just as well or better?” I still haven’t heard a clear answer.

Yet investors continue to pay huge sums for digital tokens. The values of major cryptocurrencies fluctuate wildly — Bitcoin fell 30 percent Wednesday morning, then made up most of the losses that afternoon. Their collective value has, however, at times exceeded $2 trillion, more than half the value of all the intellectual property owned by U.S. business.

Why are people willing to pay large sums for assets that don’t seem to do anything? The answer, obviously, is that the prices of these assets keep going up, so that early investors made a lot of money, and their success keeps drawing in new investors.

This may sound to you like a speculative bubble, or maybe a Ponzi scheme — and speculative bubbles are, in effect, natural Ponzi schemes. But could a Ponzi scheme really go on for this long? Actually, yes: Bernie Madoff ran his scam for almost two decades, and might have gone even longer if the financial crisis hadn’t intervened.

Now, a long-running Ponzi scheme requires a narrative — and the narrative is where crypto really excels.

First, crypto boosters are very good at technobabble — using arcane terminology to convince themselves and others that they’re offering a revolutionary new technology, even though blockchain is actually pretty elderly by infotech standards and has yet to find any compelling uses.

Second, there’s a strong element of libertarian derp — assertions that fiat currencies, government-issued money without any tangible backing, will collapse any day now. True, Britain, whose currency was still standing last time I looked, went off the gold standard 90 years ago. But who’s counting?

Given all this, are cryptocurrencies headed for a crash sometime soon? Not necessarily. One fact that gives even crypto skeptics like me pause is the durability of gold as a highly valued asset. Gold, after all, suffers from pretty much the same problems as Bitcoin. People may think of it as money, but it lacks any attributes of a useful currency: You can’t actually use it to make transactions — try buying a new car with gold ingots — and its purchasing power has been extremely unstable.

So when John Maynard Keynes called the gold standard a “barbarous relic” way back in 1924, he wasn’t wrong. But the metal’s mystique, and its valuation, live on. It’s conceivable that one or two cryptocurrencies will somehow achieve similar longevity.

Or maybe not. For one thing, governments are well aware that cryptocurrencies are being used by bad actors, and may well crack down in a way they never did on gold trading. Also, the proliferation of cryptocurrencies may prevent any one of them from achieving the semi-sacred status gold holds in some people’s minds.

The good news is that none of this matters very much. Because Bitcoin and its relatives haven’t managed to achieve any meaningful economic role, what happens to their value is basically irrelevant to those of us not playing the crypto game.

#### Blockchain doesn’t undermine enforcement---all the theories of harm are tech agnostic and cartel members will flip on each other through the DOJ’s leniency program which makes identifying them easy

Samuel N. Weinstein 21, Associate Professor of Law, Benjamin N. Cardozo School of Law, Winter 2021, “Blockchain Neutrality,” Georgia Law Review, 55 Ga. L. Rev. 499

Large financial institutions will not allow these transformations to occur without a fight, however. To ensure that fight is fair, antitrust authorities and regulators must consider how best to shape antitrust enforcement and competition policy for blockchain technologies. Much of the competition-related scholarship on blockchain has focused on the technology's potential impact on [\*538] antitrust risks and enforcement, and the bulk of that literature has sounded dire warnings about blockchain's anticompetitive potential and the possibility that it will enable cartel members to escape prosecution. 161 These concerns are premature.

Blockchain's primary effect in the antitrust arena may be to facilitate collusion. 162 As a general matter, distributed ledgers make sharing information among participants easier. When that sharing includes competitively sensitive data, such as pricing information, firms may be able to use blockchains to form and maintain price-fixing cartels. Some have suggested that blockchains, combined with the Internet of Things and artificial intelligence, could serve to monitor adherence to a cartel agreement (for example by measuring and reporting production volumes) and automatically punish defectors through smart contracts. 163 Even without explicit collusive agreements, blockchain's enhanced information-sharing capabilities might facilitate tacit collusion among participants. 164

[\*539] Another antitrust harm that might arise from blockchain use is anticompetitive access denial to permissioned ledgers. In the case of DTCC's blockchain-based, derivatives-processing network, for example, participating big banks potentially could disadvantage derivatives-dealing rivals by excluding them from the ledger. 165

Price-fixing cartels and denial of access to competitively necessary facilities fall squarely within the ambit of standard antitrust theory and enforcement practice. The Antitrust Division of the U.S. Department of Justice is equipped to root out price-fixing conspiracies in a range of technological settings. In 2015, the Division prosecuted participants in a cartel that relied on algorithms to fix prices for posters sold on the Amazon Marketplace. 166 While the technology this cartel employed was different than that used in the proverbial smoke-filled rooms of the nineteenth and twentieth centuries, the Division and the Federal Bureau of Investigation were capable of uncovering the scheme and prosecuting the participants. 167 The Division's prosecutorial tools should prove as effective in the blockchain setting as in any other context. This is especially true of the Leniency Program, under which the Division grants prosecutorial immunity to cartel members who are first-in-the-door to report cartel activity and cooperate in the subsequent investigation. 168 This program is the Division's most effective criminal enforcement tool and it should operate equally well in prosecuting blockchain cartels as it does in more traditional industries. 169

[\*540] Denial of access to nodes on a clearinghouse blockchain would also represent an old story in a new technological setting. Indeed, accusations against big banks of anticompetitive access denial to clearing services pre-date the transition to blockchain. Plaintiffs in In re Credit Default Swaps Antitrust Litigation settled, for $ 2 billion, their claims that big banks used their positions on clearinghouse risk committees to refuse access to dealer rivals in a fashion that harmed competition. 170 These types of "essential facilities" or refusal-to-deal cases can be difficult for plaintiffs to win, but the theory of harm is familiar, regardless of the technological context. 171

The same enhanced information-sharing and immutable record-keeping that might appeal to price-fixing cartels also could make blockchain-related antitrust enforcement more effective. A leniency applicant may give enforcers access to a permissioned blockchain, allowing them to observe the entire history and ongoing operation of a price-fixing cartel, an advantage difficult to duplicate without the blockchain. 172 Blockchains' ability to accurately preserve and offer easy access to data could reduce the burden of data collection and analysis in both merger and civil non-merger investigations. 173 [\*541] Regulatory nodes on blockchains might allow agencies to detect anticompetitive conduct in real time.

#### If the reason the FTC fails is a broad refusal to enforce, that has nothing to do with blockchain

Samuel N. Weinstein 21, Associate Professor of Law, Benjamin N. Cardozo School of Law, Winter 2021, “Blockchain Neutrality,” Georgia Law Review, 55 Ga. L. Rev. 499

Another general enforcement challenge blockchain poses stems from its decentralized nature, which could make it tricky to effectively remedy unlawful conduct undertaken on these networks. Enforcing injunctions against an organization controlled by a disparate group of pseudonymous users may be difficult. Professor Thibault Schrepel warns that some blockchain networks will continue to operate even if governments sanction their developers. 180 This is not a substantive antitrust issue, but it may vex antitrust enforcers and plaintiffs who win judgments against blockchain networks. However, remedies, including injunctions, could be enforced against users, whose identities are not anonymous. Further, these problems will not necessarily arise in all or even in most blockchain-related antitrust cases.

There are reasons to believe that the antitrust laws are being underenforced generally, but that trend is broader than and separate from the growth of technology markets. As an enforcement matter, the antitrust laws have proved adaptable to technological change in the computer and Internet eras, and that flexibility should continue in the blockchain era. 181 The straightforward nature of the antitrust claims likely to arise out of blockchain networks reinforces this intuition.

#### But, FTC already has a blockchain working group which solves

Neil Chilson 18, Acting Chief Technologist, FTC, 3/16/18, “It’s time for a FTC Blockchain Working Group,” https://www.ftc.gov/news-events/blogs/techftc/2018/03/its-time-ftc-blockchain-working-group

Today, the FTC announced a lawsuit against four individuals alleging that they have promoted one or more fraudulent “chain referral schemes.” Such schemes are not new – in fact, the FTC has brought chain referral cases for years. What makes today’s announcement interesting is that the alleged schemes used bitcoin, a cryptocurrency. (The FTC brought its first cryptocurrency-related case in June 2015, another in February 2016, and held a public forum on blockchain technology in March 2017. But this is the FTC’s first chain referral case involving cryptocurrency.)

Cryptocurrencies, such as bitcoin, ether, Litecoin, and many others, are a hot topic, but what are they? Cryptocurrency technology enables one individual to electronically and verifiably transfer units of the cryptocurrency to another individual without requiring validation by a trusted third party such as a bank. As such, third parties generally cannot reverse these transfers. Cryptocurrencies fluctuate in value, and units may be valued in the hundreds or even thousands of dollars. (Indeed, much of the news coverage of cryptocurrencies has focused on fortunes made and lost during these fluctuations.) Cryptocurrencies achieve this independence from third parties through sophisticated software techniques such as encryption and blockchains. These systems are complex, although perhaps no more complex than the systems used to support withdrawing bank account dollars from an ATM. However, it is certainly true that consumers are less familiar with cryptocurrencies than with dollars.

Given these various properties, it is no surprise that fraudsters might use cryptocurrencies in their scams. As the primary federal general consumer protection agency, the FTC has seen this pattern before. Fraudsters often attempt to capitalize on the excitement and confusion around hot new technologies, and they are quick to dress up old schemes in the clothes of the latest and greatest innovations.

Today’s announced lawsuit targets one example. I expect that fraudsters will repurpose old schemes to capitalize on the current glamour and mystery of cryptocurrency. The FTC staff will diligently apply its expertise to identify such schemes. But while we expect fraudsters to continue to dress up old schemes with cryptocurrency, cryptocurrencies and related technologies likely will affect the FTC’s broader consumer protection and competition missions in at least five other ways:

Payment – Fraudsters and other bad actors have already begun seeking payment in cryptocurrency. We have seen this frequently in ransomware cases, where miscreants hack a computer and hold its files “hostage”— often encrypting them — and then demand bitcoin payments to release the hostage files.

New Schemes – New schemes could emerge that aren’t just old schemes dressed up, but actually use cryptocurrency and blockchain technology as a core part of the fraud. The FTC has already seen some of these cases and taken action.

For example, the FTC brought a case against Butterfly Labs alleging that the company charged consumers thousands of dollars for its Bitcoin mining machines, but then failed to deliver the computers until they were practically useless, or in many cases, did not provide the computers at all.

In another FTC case, an app company allegedly claimed that its “Prized” mobile phone app was a rewards program, but in fact the app used devices’ computing resources to “mine” for virtual currencies like DogeCoin, LiteCoin and QuarkCoin.

Furthermore, some so-called token offerings involve the sale of “tokens” in exchange for the use of a future service. (Some such offerings may be securities under U.S. law.) But what if the promised services aren’t delivered? That could be a deceptive practice in violation of the FTC Act.

Defendants’ Assets – Even where cryptocurrency is not a part of the illegal behavior itself, defendants may have cryptocurrency assets that they might have to turn over to the FTC if obtained through misconduct. Some defendants may even attempt to hide traditional assets from law enforcement by purchasing cryptocurrency.

Competition Policy – Cryptocurrency and blockchain technologies could disrupt existing industries. In disruptive scenarios, incumbent companies may sometimes seek to hobble potential competitors through regulatory burdens. The FTC’s competition advocacy work could help ensure that competition, not regulation, determines what products will be available in the marketplace.

New Solutions – Above, I’ve highlighted some of the potential risks consumers face in using cryptocurrencies. However, many entrepreneurs are applying blockchain technologies to address difficult consumer challenges such as micropayments, data privacy, and secure identity. Such tools could increase consumers’ control over information about them and help to prevent identity theft.

Because these developments broadly affect the FTC’s work across the agency, we have created an internal FTC Blockchain Working Group. This working group builds on the significant work the FTC has already done on these topics. (See below for a catalogue of the FTC’s past work on cryptocurrency and related issues.) The working group has at least three goals. First, build on FTC staff expertise in cryptocurrency and blockchain technology through resource sharing and by hosting outside experts. Second, facilitate internal communication and external coordination on enforcement actions and other related projects. And third, serve as an internal forum for brainstorming potential impacts on the FTC’s dual missions and how to address those impacts.

We believe this working group is an important step to ensure the FTC can continue its missions to protect consumers and promote competition in light of cryptocurrency and blockchain developments. If you have any questions about the FTC’s Blockchain Working Group, please contact me at nchilson@ftc.gov

#### AI global governance fails.

Camino Kavanagh 19, visiting fellow in the Department of War Studies at King’s College London, “New Tech, New Threats, and New Governance Challenges: An Opportunity to Craft Smarter Responses?,” Carnegie, https://carnegieendowment.org/2019/08/28/new-tech-new-threats-and-new-governance-challenges-opportunity-to-craft-smarter-responses-pub-79736

CHALLENGES TO EFFECTIVE GOVERNANCE AND COORDINATION

The international environment is hardly conducive to discussions of how best to coordinate responses to the complex, cross-border dilemmas emerging around new technologies. In some corners, existing multilateral platforms are increasingly perceived as unsuitable for resolving these challenges. The international community is notoriously slow at adopting new rules and institutions to deal with new challenges, and the quandaries posed by questions of national sovereignty and democratic legitimacy are persisting. In contrast, corporate actors appear to be racing ahead, intent on shaping the “science, morality and laws” of new technologies such as AI, with limited public debate underpinning or guiding their efforts.8 Many of these same companies and the technologies they produce or exploit are increasingly viewed as instruments of state power, a fact that only adds to these sovereignty and legitimacy-related questions.

Meanwhile, growing strategic competition between the world’s leading powers, especially in high-tech sectors, does not bode well for multilateral efforts to respond cooperatively and effectively. Such a competitive landscape is contributing to regulatory fragmentation and will likely delay much needed normative and regulatory action. This potential impasse places strains on existing efforts and could further delay the attainment of pressing social and economic objectives such as the 2030 UN Sustainable Development Goals, which are already under stress. Moreover, the resulting trust deficit between countries poses a significant threat to international peace and security, one that existing political institutions are not necessarily prepared to handle.